

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-SEVENTH DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 9, 2005

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Uilo
Total - 36		

ABSENT

Fields
Total - 2

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Dr. Lynn Morrison, Jr., following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Broome, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

LOUISIANA ECONOMIC DEVELOPMENT

June 8, 2005

The Honorable Donald E. Hines, President
Louisiana State Senate
Post Office Box 94183

Baton Rouge, LA 70804-9183

Dear Senator Hines:

In accordance with Louisiana Revised Statute 36:105, I have appointed Dr. Duane D. Blumberg as Deputy Secretary of the Department of Economic Development.

In that regard, I hereby acknowledge the following appointment to the Department of Economic Development and submit to you the name for consideration of Senate confirmation as required by law.

DEPUTY SECRETARY

(Effective August 18, 2004)

Dr. Duane D. Blumberg
1051 North Third St., Suite 217
Baton Rouge, LA 70802

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Sincerely,
MICHAEL J. OLIVIER
Secretary

FLORIDA PARISHES JUVENILE JUSTICE COMMISSION

June 2, 2005

Senate President
P.O. Box 94183, Capitol Station
Baton Rouge, LA 70804

RE: Appointees to Florida Parishes Juvenile Justice Commission

Dear Senator:

Please find enclosed herewith the Oaths of Office on the individuals who were appointed or reappointed to serve as Commissioners on the Florida Parishes Juvenile Justice Commission March 1, 2004. This information is being forwarded to your office to comply with the provisions of R.S. 15:1094.1(A), which requires Senate approval of the appointees.

Their names, length of terms, and the appointing authority, as set forth in R.S. 15:1094.1(A), are as follows:

Belinda Levy-Henricson
Length of Term: March 1, 2004, to February 28, 2008
Appointing Authority: Judge, City Court of Slidell and Judge, City Court of Bogalusa

John Barton Pepperman
Length of Term: March 1, 2005, to February 28, 2007
Appointing Authority: 22nd Judicial District Attorney

If you have any questions regarding this matter, please feel free to contact me at (985)748-7890.

Very truly yours,
BRENDA C. BICKFORD
Administrative Assistant

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 8, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATORS CAIN, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To commend Cary Koch of The Dunham School on his extraordinary accomplishments as a student-athlete.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 108—

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVES HONEY AND RITCHIE

A CONCURRENT RESOLUTION

To recognize and commend Dr. Alan Rosenthal, Professor of Public Policy and Political Science at the Eagleton Institute of Politics at Rutgers University, for his leadership and participation in the "Appreciating Legislatures" pilot program at the state capitol on June 13-14, 2005.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

June 9, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 18—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Thirty-Sixth Judicial District Court; to provide for determination of fees in all cases by the court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 51—

BY REPRESENTATIVE DORSEY
AN ACT

To amend and reenact R.S. 14:40.2(A) and to enact R.S. 14:40.2(F), (G), and (H), relative to the crime of stalking; to require that the acts constituting the crime of stalking be intentional; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 56—

BY REPRESENTATIVES KATZ, DOERGE, ST. GERMAIN, WINSTON,
AND SCALISE AND SENATOR BROOME
AN ACT

To enact R.S. 14:46.2, relative to offenses against the person; to create the crime of human trafficking; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 78—

BY REPRESENTATIVES LAFLEUR, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:305.50(B), relative to the state sales and use tax; to exempt fabrication, modification, or repairs of rail rolling stock; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 88—

BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX, CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND SCALISE

AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 647, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to limitations of liability; to provide with respect to the failure to register; to provide for criminal penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 90—

BY REPRESENTATIVES BRUNEAU, ARNOLD, AND RICHMOND
AN ACT

To amend and reenact R.S. 47:305.40(A) and to enact R.S. 47:301(8)(f), relative to state and local sales and use taxes; to provide that certain carnival and nonprofit organizations participating in certain parades and purchases or sales of certain specialty items by such organizations are not subject to such taxes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 91—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Chapters 1, 2, and 3 of Title VII of Book I of the Civil Code, presently comprised of Articles 178 through 211, to be comprised of Chapters 1 and 2 of Title VII of Book I of the Civil Code, consisting of Articles 184 through 198, relative to the filiation of parents and children; to provide for the proof of maternity and paternity; to provide for the presumptions of paternity; to provide for disavowal of paternity; to provide for the contestation of paternity; to provide for an acknowledgment of paternity; to provide for the avowal action; to provide for the exceptional action of paternity; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 91 by Representative Ansardi

AMENDMENT NO. 1

On page 2, line 14, change "(B)(1)(I)" to "(B)(1)(j)"

HOUSE BILL NO. 101—

BY REPRESENTATIVE T. POWELL
AN ACT

To amend and reenact R.S. 14:93.13(B) and to enact R.S. 14:93.12(B)(3) and R.S. 32:414(S), relative to offenses involving unlawful purchase or possession of alcoholic beverages; to provide with respect to criminal penalties for unlawful purchase or possession of alcoholic beverages; to authorize driver's license suspensions as additional criminal

penalties; to provide relative to the issuance of a restricted driver's license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 138—
BY REPRESENTATIVES HUTTER AND MCDONALD
AN ACT

To enact R.S. 9:2801(C), relative to the award of attorney fees in a community property partition; to provide that the court may award attorney fees when a party fails to comply with the time limits in a community property partition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 166—
BY REPRESENTATIVES MCDONALD AND THOMPSON AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of the justice of the peace districts; to provide for election of justices of the peace from the new districts; to provide for the territorial jurisdiction of the justice of the peace courts if the police jury district lines are changed; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 239—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 47:2181.1, relative to sales of immovable property for delinquent taxes; to specify the location of the sale; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 330—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for the purposes of the habitual offender law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 451—
BY REPRESENTATIVES GEYMANN AND DORSEY
AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 473—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 30:2418(H)(introductory paragraph) and to enact R.S. 30:2418(H)(10), relative to fees collected on the sale of tires; to provide for exceptions from the fee on certain tire sales; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 513—
BY REPRESENTATIVES HAMMETT, BOWLER, DANIEL, DEWITT, ERDEY, FAUCHEUX, GEYMANN, HEATON, HEBERT, JOHNS, KENNEY, LANCASTER, MARTINY, MCDONALD, ODINET, JACK SMITH, TOWNSEND, WOOTON, JANE SMITH, AND KLECKLEY AND SENATORS CHEEK, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HINES, MICHOT, MOUNT, AND SCHEDLER
AN ACT

To repeal R.S. 47:301(16)(i)(iv), relative to state sales and use tax; to remove restrictions on exclusion from state and local sales and use taxes for digital television and digital radio conversion equipment; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 576—
BY REPRESENTATIVE LAMBERT
AN ACT

To enact R.S. 6:332 and 333(F)(16), relative to financial records; to provide relative to the disclosure of such records; to provide relative to attorney trust or escrow accounts; to authorize overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 599—
BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, AND FAUCHEUX AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 3:4684 and R.S. 47:820.1 and 1508(B)(6) and to enact Part V-A of Chapter 7 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:818.1 through 818.104, relative to the taxes on gasoline, motor fuel, and special fuels; to provide for the disclosure of licensee information; to conform the terminology as it relates to the tax dedicated to the Transportation Infrastructure Model of Economic Development Account; to provide for the collection of the tax on gasoline, motor fuels, and special fuels at the point of leaving the terminal rack or upon importation into the state; to provide definitions; to provide for licensing and bond requirements and filing requirements; to provide for civil and criminal penalties; to define certain crimes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 769—
BY REPRESENTATIVE CRAVINS
AN ACT

To enact R.S. 15:574.11(C) and (D), relative to judicial review of parole revocation decisions; to provide for appellate jurisdiction and procedure in district court for pleadings alleging a denial of a revocation hearing; to provide for a peremptive period; to provide for service of process; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 775—
BY REPRESENTATIVES BARROW, ALARIO, ALEXANDER, BADON, DANIEL, DORSEY, DOWNS, FANNIN, GREENE, HAMMETT, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, SALTER, TRAHAN, WRIGHT, BRUCE, AND THOMPSON AND SENATORS BAJOE AND HINES
AN ACT

To amend and reenact R.S. 29:36.1(A) and (B) and to enact R.S. 29:36.1(E), to provide exemptions from tuition charges imposed by Louisiana public colleges and universities for certain students serving in the Louisiana National Guard, including but not limited to students serving pursuant to re-enlistment agreements; to provide relative to conditions, limitations, and requirements for initial and continuing eligibility for such tuition exemptions; to provide for effectiveness, to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 805—

BY REPRESENTATIVE MONTGOMERY AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 47:6014(E)(1), relative to the taxation and for tax relief for certain telephone companies; to provide for the apportionment and dedication of certain taxes for deposit into the Telephone Company Property Assessment Relief Fund; to provide for certain restrictions on the fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 817—

BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:1675 and to repeal R.S. 47:287.34, relative to income and corporation franchise tax credits; to provide for eligibility and application of the tax credits; to provide general administrative provisions for tax credits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 80—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, ARNOLD, FANNIN,
GALLOT, JEFFERSON, LAFONTA, LANCASTER, AND PITRE
A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 114—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to

provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

HOUSE BILL NO. 380—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:266.1(B), (D), and (E), relative to investments of state retirement systems; to provide for investments through Louisiana incorporated and domiciled broker-dealers; to specify that ten percent of all commissions of trades of domestic equity and fixed income investments shall be directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana; to require the broker-dealers to enter into commission recapture agreements with the systems; to change the date on which the pilot program ends; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 586—

BY REPRESENTATIVE JEFFERSON
AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and 4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

HOUSE BILL NO. 628—

BY REPRESENTATIVES QUEZAIRE, GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCVEA, MORRELL, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WHITE, WOOTON, AND WRIGHT

AN ACT

To enact Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2001 through 2008, and R.S. 51:931, relative to state procurement and public contracts; to create the Louisiana Initiative for Small Entrepreneurships (the Hudson Initiative); to provide definitions; to provide for certain source selection criteria, contract requirements, and goals with respect to certain procurements and public contracts; to provide for responsibilities of the commissioner of administration and state agencies with respect to the initiative; to provide for eligibility requirements for participation in the initiative; to provide for certification of certain businesses; to provide for reporting; to provide for rulemaking; and to provide for related matters.

HOUSE BILL NO. 887— (Substitute for House Bill No. 802 by Representative Durand)

BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

AN ACT

June 9, 2005

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 80—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, ARNOLD, FANNIN, GALLOT, JEFFERSON, LAFONTA, LANCASTER, AND PITRE

A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 114—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:90(B) and 90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact R.S. 14:90(F), Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, and Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601, relative to domestic cruiseship gaming; to enact the Domestic Cruiseship Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming on a domestic cruiseship; to provide suitability criteria and conditions for licensing; to provide criteria for domestic cruiseships; to provide conditions with respect to licensing; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for domestic cruiseship gaming; to create a special taxing district and to provide for its purpose, governance powers, duties, and functions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 380—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:266.1(B), (D), and (E), relative to investments of state retirement systems; to provide for investments through Louisiana incorporated and domiciled broker-dealers; to specify that ten percent of all commissions of trades of domestic equity and fixed income investments shall be

directed through broker-dealers incorporated, domiciled, or having their principal trading operations in Louisiana; to require the broker-dealers to enter into commission recapture agreements with the systems; to change the date on which the pilot program ends; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 586—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact R.S. 33:4720.52(A)(1) and (B), 4720.53, 4720.56(17), 4720.57(A), 4720.59(D)(5) and (E), 4720.60(A)(3), 4720.61(A), 4720.62(A)(3), 4720.65(A)(6), and 4720.71(7), (9)(introductory paragraph) and (a), (d), (f), and (g), and to enact R.S. 33:4720.56(18) and (19), 4720.61(B)(5) and (O), and 4720.72, relative to the New Orleans Community Improvement Act; to provide with respect to the New Orleans Redevelopment Authority; to provide for the acquisition of blighted properties and functionally obsolescent facilities; to provide relative to the recordation of liens; to provide for the issuance of certain types of bonds; and to provide for related matters.

On motion of Senator Bajoie, the bill, which is a duplicate of Senate Bill No. 288, was read by title and lies over under the rules.

HOUSE BILL NO. 628—

BY REPRESENTATIVES QUEZAIRE, GLOVER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BEARD, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCVEA, MORRELL, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WHITE, WOOTON, AND WRIGHT

AN ACT

To enact Chapter 20 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2001 through 2008, and R.S. 51:931, relative to state procurement and public contracts; to create the Louisiana Initiative for Small Entrepreneurships (the Hudson Initiative); to provide definitions; to provide for certain source selection criteria, contract requirements, and goals with respect to certain procurements and public contracts; to provide for responsibilities of the commissioner of administration and state agencies with respect to the initiative; to provide for eligibility requirements for participation in the initiative; to provide for certification of certain businesses; to provide for reporting; to provide for rulemaking; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 887— (Substitute for House Bill No. 802 by Representative Durand)

BY REPRESENTATIVES DURAND, ALARIO, DORSEY, HAMMETT, HUNTER, AND SALTER

AN ACT

To amend and reenact R.S. 17:1519.6(C) and to enact Subtitle X of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:8051 through 8059, relative to state fees; to enact the Healthcare Affordability Act; to impose a fee on certain hospitals; to provide for collection and administration of the fee; to provide for disposition of the avails of the fee; to provide for penalties and sanctions; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the President

The following messages from the President were received and read as follows:

**Senate
State of Louisiana**

June 8, 2005

Honorable Tom Schedler
State Senator
3840 Highway 22, Suite 200
Mandeville, LA 70471

Dear Senator Schedler:

I accept your resignation from the Senate Committee on Retirement, effective this date.

Sincerely,
DONALD E. HINES

**Senate
State of Louisiana**

June 8, 2005

Honorable Derrick Shepherd
State Senator
2009 Ames Blvd.
New Orleans, LA 70072

Dear Senator Shepherd:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Retirement.

Sincerely,
DONALD E. HINES

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 110—
BY REPRESENTATIVE JOHNS**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to be used to pay fees and expenses associated with legal representation of certain juveniles; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 160—
BY REPRESENTATIVE HONEY**AN ACT**

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 169—

BY REPRESENTATIVE TUCKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 to the Department of Transportation and Development, Engineering and Operations, Bridge Trust Program, to provide for reimbursement of legal expenses of Alan J. LeVasseur; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 244—

BY REPRESENTATIVES WALSWORTH AND LAMBERT

AN ACT

To enact R.S. 40:1394.1, relative to state police; to provide for a report of salary schedules for troopers and officers of the division of state police; to require that the report be submitted to the governor, the commissioner of administration, and members of the legislature through the speaker of the House of Representatives and the president of the Senate; to provide for the scope of the annual salary schedule report; to provide for procedures for review of said salary schedule; to provide for the implementation of recommendations concerning such schedule; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 327—

BY REPRESENTATIVES QUEZAIRE, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, LAMBERT, PITRE, M. POWELL, SMILEY, ST. GERMAIN, TUCKER, AND SCALISE AND SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 47:463.4(D), 466(C), and 473(J), to enact Part II-A of Chapter 4 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:490.1 through 490.18, and to repeal R.S. 47:463.2.1, 463.7, 463.10, 463.11, 463.13, 463.15, 463.16, 463.18, 463.20, 463.25, 463.26, 463.27, 463.29, 463.34, 463.38, 463.42, 463.55, and 463.65, relative to motor vehicle license plates; to provide relative to the creation and issuance of military honor license plates for veterans and military personnel; to repeal provisions establishing and creating certain special prestige license plates for veterans and military personnel; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 415—

BY REPRESENTATIVES M. POWELL, BRUNEAU, LANCASTER, AND WADDELL

AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, and other proposition elections; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs

HOUSE BILL NO. 574—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 22:11.1(A)(3), (5), and (8) and (B)(1) and (2) and to enact R.S. 22:11.1(D) and (E), relative to health insurance; to provide for definitions; to provide relative to credentialing and recredentialing of health care providers by health insurance issuers; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 708—BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to change the date which a property owner in Orleans Parish entitled to the homestead exemption is required to own and occupy the homestead before the homestead exemption is claimed; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 796—BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact Section 4 of Act No. 721 of the 2004 Regular Session of the Legislature of Louisiana; to provide relative to the effectiveness of such Act; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 799—BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 14:90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, relative to slot machine gaming at the eligible airport facility; to enact the New Orleans Airport Facility and Operation Economic Redevelopment and Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming at the eligible airport facility; to provide suitability criteria and conditions for licensing; to provide conditions with respect to licensing; to provide criteria for the slot machine gaming facility in the eligible airport facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for eligible airport facility gaming; to authorize an airport authority tax; to provide for the allocation of funds from that tax; to provide with respect to the power of the airport authority; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 862—BY REPRESENTATIVE BURRELL
AN ACT

To enact Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1801 through 1808; to establish a tax rebate and credit program to promote urban revitalization; to provide for the eligibility for and administration of the tax credits and rebates; to provide for tax and other incentives; to provide with respect to financing; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 162—BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of youth services, together with the local courts exercising juvenile jurisdiction and local children and youth planning boards, to study jointly the needs of and resources available to youth requiring out-of-home placement in Region 5, consisting of the Fifteenth, Sixteenth, and Twenty-Seventh Judicial Districts and to make recommendations for changes in the laws, rules, programs, and procedures to achieve more effective and cost efficient delivery of juvenile justice services.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary B.

HOUSE CONCURRENT RESOLUTION NO. 163—BY REPRESENTATIVE CRAVINS
A CONCURRENT RESOLUTION

To designate and proclaim the town of Opelousas as the Spice Capital of the State of Louisiana.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Duplessis	McPherson	Ullo
Dupre	Michot	
Total - 26		

NAYS

Total - 0

ABSENT

Adeley	Dardenne	Jackson
Amedee	Fields	Malone
Boasso	Fontenot	Marionneaux
Cravins	Gautreaux B	Mount
Total - 12		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 172—BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, bureau of licensing, to study the feasibility of adopting and implementing rules and regulations to provide for the licensing of "drop-in" programs.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 173—BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to consider restricting the weight limit of commercial vehicles traveling on Louisiana Highway 316, also

known as Bayou Blue Road, in Terrebonne Parish, and to consider reducing the posted speed limit for such highway.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Transportation, Highways and Public Works.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

June 9, 2005

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE RESOLUTION NO. 110—

BY SENATOR SMITH

A RESOLUTION

To direct the Louisiana Department of Transportation and Development to study and provide a report to the Senate Committee on Transportation, Highways and Public Works on the provision of driveway access to certain property located in Natchitoches.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 103—

BY REPRESENTATIVES M. GUILLORY AND FRITH AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 122—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the re-routing of West Prien Lake Road, also known as Louisiana Highway 1138-2, to intersect with the port road extension near or at the main entrance to the L'Auberge du Lac Hotel and Casino in Lake Charles, Louisiana, as a design-build demonstration project in order to expedite construction and alleviate extreme traffic congestion in the area.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, and office of state police to petition the Federal Motor Carrier Safety Administration for an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 148—

BY REPRESENTATIVES QUEZAIRE, LAMBERT, AND SMILEY

A CONCURRENT RESOLUTION

To urge and request the governor and the Department of Economic Development to embrace and publicly support the Louisiana Transportation Center as proposed by the Louisiana Airport Authority.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 9, 2005

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 131—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

Reported favorably.

HOUSE BILL NO. 120—

BY REPRESENTATIVES HILL AND BEARD

AN ACT

To enact R.S. 17:3048.1(Q)(5) and (V)(3), to provide relative to minimum scores on specified tests that are required of certain home study students to be eligible for Tuition Opportunity Program for Students awards; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 158—

BY REPRESENTATIVE MARCHAND

AN ACT

To amend and reenact R.S. 17:226, relative to exemptions from compulsory school attendance; to authorize nurse practitioners licensed to practice in Louisiana to substantiate certain illnesses permitting a child to be excused temporarily from attending

school; to remove exemptions based on the location of a child's residence and certain other transportation factors; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 178—

BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOUIN AND SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 184—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 41:727, relative to the transfer of certain sixteenth section land by the Vermilion Parish School Board; to specify the property to be transferred and the persons to whom it shall be transferred; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 314—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 17:85.11, relative to naming a Reserve Officers' Training Corps building; to authorize the Ouachita Parish School Board to name the Reserve Officers' Training Corps building at West Monroe High School in honor of James Donald Halsell, Jr.; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 377—

BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 651—

BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BARROW, BAUDOUIN, BOWLER, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DANIEL, DARTEZ, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, E. GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, KATZ, KENNARD, KENNEY, L'AFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SCALISE, GARY SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, AND WRIGHT

AN ACT

To enact R.S. 17:171, relative to health insurance status; to provide relative to procedures for providing for the release of certain information relative to health insurance eligibility to public health insurance programs that cover children; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 886 — (Substitute for House Bill No. 591 by Representative Jane Smith)

BY REPRESENTATIVE JANE SMITH

AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 9, 2005

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 85—

BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

A CONCURRENT RESOLUTION

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

Reported favorably

HOUSE CONCURRENT RESOLUTION NO. 100—

BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Waterfowl Study Commission to study the possibility of permitting the taking of pen-raised mallards south of Interstate Highway 10 and Interstate Highway 12.

Reported favorably

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVES THOMPSON AND BALDONE

A CONCURRENT RESOLUTION

To authorize and request the Department of Wildlife and Fisheries to sponsor a pilot program to study the breeding and release of waterfowl in Louisiana.

Reported favorably

HOUSE BILL NO. 197—

BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:214.9 and 214.10, relative to coastal preservation and restoration; to establish a program for stabilization and restoration of coastal passes; to create the Coastal Passes Stabilization and Restoration Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 204—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 56:2011(C), relative to payment of royalties for dredging state water bottoms; to exempt from the payment of such royalties the dredging of False River for certain purposes; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 397—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 428—

BY REPRESENTATIVES PIERRE AND THOMPSON
AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 477—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 587—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of devices to protect oysters from predation on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 630—

BY REPRESENTATIVE HEBERT
AN ACT

To authorize the secretary of the Department of Wildlife and Fisheries and the commissioner of administration to sell, convey, transfer, assign, and deliver certain state property located in Iberia Parish.

Reported favorably

HOUSE BILL NO. 683—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for

the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 701—

BY REPRESENTATIVE BAUDOUIN
AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman
NICK GAUTREAUX
Vice-Chairman

**REPORT OF COMMITTEE ON
FINANCE**

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

June 8, 2005

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

SENATE BILL NO. 311—

BY SENATOR BOASSO AND REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 27:392(B)(4) and to enact Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1370 through 1377, all relative to waterways infrastructure and development; to create the Louisiana Waterways Infrastructure and Development Fund and the Louisiana Waterways Infrastructure Development Bank; to provide for the dedication of certain gaming proceeds to the fund; to provide funding for waterways and infrastructure development from various sources; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 151—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters in the Thirty-Second Judicial District Court; to increase the fees court reporters may charge per page for civil and criminal transcripts; to decrease the fees court reporters may charge per page copy for civil and criminal transcripts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 161—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 13:961(F)(1)(o), relative to court reporter fees in the Eleventh Judicial District Court; to authorize the judges en banc to set the fees for each page and copy of transcribed testimony; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 268—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 27:392(B)(2)(a), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Compulsive and Problem Gaming Fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 393—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:392(B)(3)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to increase the amount of monies in the Pari-mutuel Live Racing Facility Gaming Control Fund dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund; to establish the Greater New Orleans Sports Foundation Fund as a special fund in the state treasury and to provide for the deposit and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 432—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 39:1593(C)(1)(a), relative to state procurement; to expand the authorized use of a competitive request for proposal process under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 460—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, HAMMETT, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HEATON, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, LAFLEUR, LAFONTA, MARCHAND, McDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, BAJOE, AND MOUNT

AN ACT

To enact Part VI-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2365, relative to state funds; to establish the Rapid Response Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to require reporting; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 654—

BY REPRESENTATIVES MONTGOMERY, ALARIO, GLOVER, HOPKINS, HUNTER, SCALISE, JANE SMITH, THOMPSON, ALEXANDER, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, HEBERT, HILL, JACKSON, JEFFERSON, JOHNS, KATZ, McDONALD, PIERRE, PINAC, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, WADDELL, AND WALKER

AN ACT

To amend and reenact R.S. 48:2072(B), 2073(7) through (19), 2077(17), (18), and (23), and 2082(B) through (O) and to enact R.S. 9:165(C) and R.S. 48:2073(20), 2077(24), and 2082(P),

relative to authorizing the Louisiana Transportation Authority to issue revenue bonds secured by unclaimed property receipts; to create the Unclaimed Property Fund; to provide for the deposit of monies into the Unclaimed Property Fund and the use of those monies; to create the Unclaimed Property Leverage Fund; to provide for the deposit of monies into the Unclaimed Property Leverage Fund and the use of those monies; to authorize the state treasurer to transfer the monies in the Unclaimed Property Leverage Fund to the Louisiana Transportation Authority; to provide relative to unclaimed property bonds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 840—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for the pledge and dedication for certain tourism purposes; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON**LOCAL AND MUNICIPAL AFFAIRS**

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 9, 2005

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To create and provide for the Cameron Parish Economic Development Task Force for the purpose of studying and making recommendations relative to economic development in Cameron Parish.

Reported favorably.

HOUSE BILL NO. 75—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 33:423.15, relative to the city of Broussard; to provide for the chief of police of that city to take certain personnel actions; to provide for appeal of those actions by police department employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 133—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 145—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 33:140.75(A) and to repeal R.S. 33:140.71(C), relative to railroad development districts; to provide for the maximum rate of the ad valorem tax to be levied by such districts; to provide relative to tax renewal; to repeal certain provisions relative to district boundaries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 427—

BY REPRESENTATIVE BADON
AN ACT

To enact R.S. 33:9079, relative to the Kingswood Subdivision Improvement District; to create and provide for such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 598—

BY REPRESENTATIVE LAFONTA
AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 640—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 668—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact Subpart C-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4050.1, relative to Calcasieu Parish; to provide relative to the demolition, removal, replacement, repair, and maintenance of any community or individual sewerage system, or parts thereof, located within the parish which by reason of its nature or condition endangers the public welfare or safety; to provide relative to the levying of fines by the governing authority; to authorize the governing authority to file liens against property owners for failure to pay costs owed to such governing authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 820—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 33:130.252(A)(1) and (2)(e) and (B) and 130.261(C), to enact R.S. 33:130.261(D) and (E), and to repeal R.S. 33:130.255(A)(4), relative to the Terrebonne Economic Development Authority; to provide relative to the appointment and qualifications of members of the board of commissioners and filling board vacancies; to provide relative to the annual

budget, financial reports, and expropriation powers of the authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 878 — (Substitute for House Bill No. 198 by Representative Thompson)

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Richland Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 879 — (Substitute for House Bill No. 309 by Representative Frith)

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:4574.1.1(O), relative to hotel occupancy taxes; to require the parish tourist commission in certain parishes to increase the hotel occupancy tax; to provide with respect to the authority and responsibility of the commission; to provide for the dedication of the proceeds from the increase; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Boasso asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 311—

BY SENATOR BOASSO AND REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 27:392(B)(4) and to enact Chapter 12-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1370 through 1377, all relative to waterways infrastructure and development; to create the Louisiana Waterways Infrastructure and Development Fund and the Louisiana Waterways Infrastructure Development Bank; to provide for the dedication of certain gaming proceeds to the fund; to provide funding for waterways and infrastructure development from various sources; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 311 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 27:392(B)(4) and to"

AMENDMENT NO. 2

On page 1, line 6, after "Bank;" delete the remainder of the line and on line 7, delete "proceeds to the fund;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 20

AMENDMENT NO. 4

On page 2, line 21, change "Section 2." to "Section 1."

AMENDMENT NO. 5

On page 2, between lines 22 and 23, insert the following:

**"CHAPTER 12-A. LOUISIANA WATERWAYS
INFRASTRUCTURE AND DEVELOPMENT FUND"**

AMENDMENT NO. 6

On page 2, at the beginning of line 26, change "**Monies**" to "**Subject to an annual appropriation by the legislature, monies**"

AMENDMENT NO. 7

On page 3, line 10, change "**Article VII Section 9(B),**" to "**Article VII, Section 9(B)**"

AMENDMENT NO. 8

On page 3, delete lines 12 through 29

AMENDMENT NO. 9

On page 4, delete lines 1 through 16

AMENDMENT NO. 10

On page 4, line 13, change "**§1372.**" to "**§1371.**"

AMENDMENT NO. 11

On page 6, line 9, after "**successor**" and before "**one**" insert a comma ","

AMENDMENT NO. 12

On page 7, line 1, change "**§1373.**" to "**§1372.**"

AMENDMENT NO. 13

On page 7, line 2, delete "**exclusive**"

AMENDMENT NO. 14

On page 7, at the end of line 4, change "**Bank**" to "**Bank, subject to the review and approval of the Joint Legislative Committee on the Budget**"

AMENDMENT NO. 15

On page 7, line 22, change "**Subpart**" to "**Subpart, subject to the review and approval of the Joint Legislative Committee on the Budget**"

AMENDMENT NO. 16

On page 7, line 27, change "**projects**" to "**projects, subject to the review and approval of the Joint Legislative Committee on the Budget**"

AMENDMENT NO. 17

On page 8, line 6, change "**agreements**" to "**agreements, subject to the review and approval of the Joint Legislative Committee on the Budget**"

AMENDMENT NO. 18

On page 8, between lines 6 and 7, insert the following:

"(8) No grant, contract, agreement, loan guarantee, or letter of credit, or any other form of financial assistance to any entity shall be approved without guarantee for repayment to the fund, as determined by the board pursuant to rules and regulations promulgated and adopted by the board of the Louisiana Waterways Infrastructure and Development Bank as provided under this Chapter."

AMENDMENT NO. 19

On page 8, line 7, change "**§1374.**" to "**§1373.**"

AMENDMENT NO. 20

On page 8, line 12, change "**§1375.**" to "**§1374.**"

AMENDMENT NO. 21

On page 8, line 19, change "**§1376.**" to "**§1375.**"

AMENDMENT NO. 22

On page 8, line 22, change "**§1377.**" to "**§1376.**"

AMENDMENT NO. 23

On page 9, line 1, after "**obligations**" and before the period ":", insert "**and which annual report shall be submitted to the Joint Legislative Committee on the Budget, the governor, the Legislative Fiscal Office, the Office of the Legislative Auditor, and the division of administration**"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 6—

BY REPRESENTATIVES GARY SMITH, BRUCE, CROWE, DOERGE, FRITH, GEYMAN, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, SHEPHERD, STRAIN, TRAHAN, WADDELL, WALSWORTH, AND WHITE

AN ACT

To enact R.S. 29:418.1, relative to the suspension or termination of cellular phone contracts during service in the uniformed services; to authorize the termination of the contract without an early termination fee; to authorize the suspension of a cellular phone contract without imposition of any activation fee; to require certain notices; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 33—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 40:4(A)(2)(b)(i) and (ii), relative to the treatment of infectious biomedical waste; to require the certification and testing of all equipment used to treat infectious biomedical waste; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 33 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 20 after "**quarterly.**" insert "**The provisions of Items (i) and (ii) of this Subparagraph, relative to the certification and testing of all equipment used to treat infectious waste, shall not apply to an office of a physician licensed to practice medicine by the Louisiana State Board of Medical Examiners, a veterinarian, or a dentist.**"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 71—

BY REPRESENTATIVES BRUCE AND PINAC

AN ACT

To enact R.S. 37:3393(H)(7), relative to real estate appraisers; to provide for an exemption from license requirements; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 72—

BY REPRESENTATIVES BRUCE AND MONTGOMERY
AN ACT

To enact R.S. 37:776(D), relative to dentists; to require the board to promulgate rules to expunge first-time advertising offenses from a licensee's record; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 115—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 115 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 20, after "prohibited" insert "unless ordered by a court of competent jurisdiction"

AMENDMENT NO. 2

On page 2, line 10, after "prohibited" insert "unless ordered by a court of competent jurisdiction"

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 121—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 40:2010.7 and to enact R.S. 40:2010.11, relative to nursing home and long-term care facility residents and patients; to provide for mandatory criminal background checks on those seeking admittance to a nursing home or long-term care residential facility; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 121 by Representative Odinet

AMENDMENT NO. 1

On page 2, between lines 17 and 18 insert the following:

- "(d) Long term acute care hospital.
- (e) Rehabilitation hospital.
- (f) Psychiatric hospital."

AMENDMENT NO. 2

On page 2, line 21 change "also includes" to "may include"

AMENDMENT NO. 3

On page 2, line 23 change "an" to "a legal"

AMENDMENT NO. 4

On page 2, line 29, delete "each facility" and insert "the Department of Health and Hospitals"

AMENDMENT NO. 5

On page 3, line 1, after "means of" insert "the Louisiana State Police Sex Offender Registry or by"

AMENDMENT NO. 6

On page 3, line 5, delete "a" and all of line 6 and insert "the Department of Health and Hospitals shall provide for the applicant for"

AMENDMENT NO. 7

On page 3, line 7, after "information" insert "obtained by means of the Louisiana State Police Sex Offender Registry, or"

AMENDMENT NO. 8

On page 3, delete lines 9 and 10 and insert "public records and that the Department of Health and Hospitals deems appropriate. The department shall allow the applicant to choose from a list of Internet"

AMENDMENT NO. 9

On page 3, line 13 change "The nursing home or long-term care facility" to "The Department of Health and Hospitals"

AMENDMENT NO. 10

On page 3, delete line 15 and insert "for admittance to the nursing home the nursing home or long term care facility by means of the Louisiana State Police Sex Offender Registry or an Internet company such as"

AMENDMENT NO. 11

On page 4, delete lines 5 through 7 and on line 8 change "(d)" to "(c)"

AMENDMENT NO. 12

On page 4, line 13 after "conducted" insert "through the Louisiana State Police Sex Offender Registry or"

AMENDMENT NO. 13

On page 4, delete line 15 and insert "After the applicant has informed the facility, which shall in turn inform the Department of Health and Hospitals of the Internet company that the applicant"

AMENDMENT NO. 14

On page 4, line 17 after "shall be" insert "submitted to the Louisiana State Police Sex Offender Registry for a search to be conducted or"

AMENDMENT NO. 15

On page 4, line 20 after "home" insert "or long term care facility"

AMENDMENT NO. 16

On page 4, line 23 change "families and guardians" to "legal representatives"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 125—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 37:751(A)(5), 780(B)(1), (2), and (3), 788(B)(4), and 795(B)(2)(a) and (3)(a) and to enact R.S. 37:780(B)(4) and 795(B)(2)(q), (r), (s), and (t), relative to the Dental Practice Act; to provide for definitions; to provide for the application of a license or a permit; to provide costs and fees for violations; to alter existing fees; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 188—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 188 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 13, between "recovery." and "Any" insert the following: "Any recovery is limited to damages actually sustained."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 208—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 49:992(B)(2), relative to adjudications by the division of administrative law; to require that any agency shall comply fully and in a timely manner with the final decision or order of an administrative law judge in an adjudication commenced by the division of administrative law; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 290—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to the Office of Group Benefits and pharmacy contracts; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 290 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "250.54(A)," insert "250.57(A),"

AMENDMENT NO. 2

On page 1, line 7, after "250.54(A)," insert "250.57(A),"

AMENDMENT NO. 3

On page 2, line 3, after "adjudicated." insert the following: **"If the governor declares a state of emergency pursuant to R.S. 29:724, the time period prescribed in this Subsection shall be interrupted during the continuance of the state of emergency for any claims office which is located in the territorial limits of the declared state of emergency."**

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"§250.57. Prescription drugs, products, and supplies; use of index

A. Reimbursement under a contract to a pharmacist or pharmacy for prescription drugs and other products and supplies that is calculated according to a formula that uses a nationally recognized reference in the pricing calculation shall use the most current nationally recognized reference price or amount in the actual or constructive possession of the health insurance issuer, its agent, or any other party responsible for reimbursement for prescription drugs and other products and supplies on the date of electronic adjudication or on the date of service shown on the non-electronic claim.

* * *

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 293—

BY REPRESENTATIVES TUCKER AND WALKER

AN ACT

To enact Part VIII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.61 through 31.68, relative to the creation of the Parkinson's Disease Registry; to provide for a program of epidemiological assessments of the incidence of Parkinson's disease and establishment of a system for the collection of information determining the incidence of Parkinson's disease; to provide for the duties and responsibilities of the office of public health, a public health unit, or their agents; to provide for funding; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 319—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1430.12(A) and to enact R.S. 22:1430.7(B)(3), relative to the calculation of rates by the Louisiana Citizens Property Insurance Corporation; to provide for the formulation of rates; to provide for amending the plan of operation; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 321—

BY REPRESENTATIVE ROMERO

AN ACT

To amend and reenact R.S. 51:913 and 913.3 and to enact R.S. 51:913.4, relative to oil field and farm equipment; to provide for recordkeeping requirements for dealers; to provide for penalties; to provide for injunctive relief; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 321 by Representative Romero

AMENDMENT NO. 1

On page 1, at the beginning of line 3 delete "and farm"

AMENDMENT NO. 2

On page 1, delete line 9 in its entirety.

AMENDMENT NO. 3

On page 1, line 10 after "Oil field" delete "and farm"

AMENDMENT NO. 4

On page 1, at the beginning of line 11 delete "A."

AMENDMENT NO. 5

On page 2, delete lines 8 through 18 in their entirety

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 336—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2), 1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 405—

BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 17:62, to provide relative to term limits for the Lafayette Parish School Board; to authorize the school board to adopt such limits subject to voter approval; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 526—

BY REPRESENTATIVE WINSTON
AN ACT

To enact Part II-D of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.10, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 526 by Representative Winston

AMENDMENT NO. 1

On page 2, line 14 change "Social Services" to "Health and Hospitals"

AMENDMENT NO. 2

On page 9, line 10 after "pouring or" delete the remainder of the line and insert "handing out"

AMENDMENT NO. 3

On page 9, line 11, delete "receiving"

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 581—

BY REPRESENTATIVE TRAHAN
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 650—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.35(A) and (D) and 969.37(D) and (G) and to enact R.S. 6:969.6(30) through (33), relative to the Motor Vehicle Sales Finance Act; to provide for definitions; to provide for authority to issue debt waiver or debt forgiveness agreements; to provide for licenses; to provide for violations; to provide for fees; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 687—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:635.4(A) and to enact R.S. 22:635.4(C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 687 by Representative K. Carter

AMENDMENT NO. 1

On page 2, line 1, change "policy forms," to "policies," and after "filed" add the following: "and converted pursuant to this Section"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 697—

BY REPRESENTATIVES M. GUILLORY, SALTER, ALARIO, DORSEY, HAMMETT, AND CURTIS AND SENATORS HINES, BAJOE, MOUNT, AND HEITMEIER
AN ACT

To enact Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of Part I, R.S. 37:1021 through 1025 and Part II, R.S. 37:1031 through 1034, relative to direct service workers and medication attendants; to provide for the authority, training, registration, and termination of direct service workers; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 697 by Representative M. Guillory

AMENDMENT NO. 1

On page 1, delete lines 16 through 20 and on page 2, delete lines 1 through 3 and insert:

"A. The provisions of this Part shall not apply to gratuitous care provided by friends or members of the individual's family.

B. The provisions of this Part shall apply to all direct service workers employed by a licensed agency and who attend to individuals receiving state or federally funded home and community-based services. An individual being served shall meet the following criteria:

(1) Be eligible for care in an intermediate care facility for the mentally retarded or be eligible for care in a nursing facility but who has chosen to receive assistance in his residence.

(2) Is able to self-direct the services or resides in a residence where there is daily monitoring by a family member, a direct service worker or other health care provider.

(3) Has a current plan of care.

(4) Receives a periodic assessment by a registered nurse on at least a quarterly basis, unless it is determined by the registered nurse in collaboration with the individual's physician, that a less frequent assessment periodicity is appropriate and is based on the individual's health status."

AMENDMENT NO. 2

On page 2, line 21, after "procedure" delete the semi-colon ";" and insert "and the results are predictable."

AMENDMENT NO. 3

On page 2, line 22 after "oral" insert "and topical"

AMENDMENT NO. 4

On page 2, line 29 after "medication" delete "via a" and insert "by way of an established"

AMENDMENT NO. 5

On page 3, line 1 after "tasks" delete remainder of line and delete line 2 and insert "which may be delegated by a registered nurse to unlicensed personnel."

AMENDMENT NO. 6

On page 3, delete lines 4 through 16 and insert the following:

"A. In order to be authorized to perform the procedures specified in R.S. 37:1032, a direct service worker shall be employed by a licensed agency and shall receive the following training:

(1) All training required by agency licensing laws or the rules and regulations for participating in Medicaid reimbursement or the requirements of the state or federally funded home or community-based service.

(2) In order to administer medications, at least sixteen hours of fundamentals of medication administration training including, but not limited to, medication administration, handling and storage of medications, side effects and drug interactions. This training may be a part of the training required in Paragraph 1 of Subsection A of this Section.

(3) At least six hours of person-specific training from a registered nurse who has assessed the health status of the individual in the residence where the services are to be performed and determined that the direct service worker can perform the tasks in a safe, appropriate manner, with additional person-specific training by a registered nurse whenever the tasks to be performed or the types of medications to be administered are changed. Written documentation of training provided by the registered nurse shall be submitted to and maintained by the direct service worker's employing agency.

(4) Current Cardio-Pulmonary Resuscitation certification.

B. Any unlicensed person performing the procedures authorized by this Part on the effective date of this law shall complete the

training required by this Section no later than twelve months after promulgation of the regulations required by this Part. Training specified in Subsection A of this Section shall be repeated if the registered nurse does not certify that the direct service worker has demonstrated a sufficient level of competency in subject matter."

AMENDMENT NO. 7

On page 3, delete lines 17 through 20 and insert the following:

"C. A direct service worker shall undergo an annual competency validation, specified in rules adopted by the Louisiana Board of Nursing and the Department of Health and Hospitals, performed by a registered nurse, to determine whether the direct service worker continues to perform the authorized, person-specific tasks appropriately. Documentation of the annual competency review provided by the registered nurse shall be submitted to and maintained by the direct service worker's employing agency."

AMENDMENT NO. 8

On page 3, line 21, after "D." insert "(1)"

AMENDMENT NO. 9

On page 3, between lines 23 and 24, insert the following:

"(2) A physician licensed to practice medicine by the Louisiana State Board of Medical Examiners, whether or not he developed the individual's current plan of care, including but not limited to the prescribed medication regime, who is rendering professional medical care services to the individual receiving assistance or services under the provisions of this Part shall not be liable for any civil damages as a result of any negligent or intentional act or omission of a direct service worker or a licensed agency."

AMENDMENT NO. 10

On page 4, line 6 after "nurse" delete "or physician"

AMENDMENT NO. 11

On page 2, line 16, after "Part," delete the rest of the line and insert "and other rules and regulations concerning direct service workers consistent with this Part."

AMENDMENT NO. 12

On page 2, line 28, after "route," insert "Under no condition shall a direct service worker administer medications not in compliance with the provisions of this Section."

On motion of Senator McPherson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 751—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 4:147(2), relative to residency requirements of the state steward appointed by the Louisiana State Racing Commission; to require the steward to be residing in the state upon appointment; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 753—

BY REPRESENTATIVES DURAND AND MCDONALD
AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 759—

BY REPRESENTATIVE BURNS

AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 761—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 22:676, relative to motor vehicle insurance provisions; to provide for total loss; to provide for airbags; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 816—

BY REPRESENTATIVES JOHNS AND MCDONALD

AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 883— (Substitute for House Bill No. 740 by Representative Hebert)

BY REPRESENTATIVE HEBERT

AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure of polysomnographic technologists and technicians; to provide for regulation of polysomnographic technologists, technicians, and individuals-in-training; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists, technicians, and individuals-in-training; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 885— (Substitute for House Bill No. 584 by Representative K. Carter)

BY REPRESENTATIVES K. CARTER AND BOWLER

AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Lentini, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, June 8, 2005, was reconsidered.

SENATE BILL NO. 68—

BY SENATOR LENTINI

AN ACT

To enact R.S. 18:1505.2(S), relative to campaign finance; to prohibit certain persons from contributing to the campaign of certain judges, justices of the peace, district attorneys, and sheriffs; to prohibit the solicitation or receipt of such contributions by such judges, justices of the peace, district attorneys, and sheriffs; to provide for civil and criminal penalties; to provide for the deposition of funds; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions
to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 50 be called from the Calendar at this time.

SENATE RESOLUTION NO. 50—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Robert W. Sweeney III upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Mr. President in the Chair

Regular Order of the Day Resumed

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 328—

BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.51(M), (N), (O), and (P), and to repeal R.S. 33:2740.51(H), relative to the Southside Economic Development District of the City of Monroe; to provide the board the authority for tax financing by the district; to provide for its termination; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 328 by Senator Jones

AMENDMENT NO. 1

On page 1, line 17, change "**Subparagraph (b) of this Paragraph**" to "**R.S. 33:2740.51(N)(3)(b)**"

AMENDMENT NO. 2

On page 3, line 10, change "**(E)(10)**" to "**(M)(1)**"

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 328 by Senator Jones

AMENDMENT NO. 1

On page 2, delete line 7, and insert: "**ordinance or resolution, but only after the question of the imposition of the hotel occupancy tax has been submitted to the qualified electors of the city of Monroe at an election to be conducted in accordance with the general election laws of the State of Louisiana and the majority of those voting in the election have voted in favor of the adoption of such ordinance. In addition, if the proceeds of the tax of such other tax authorities has been**"

AMENDMENT NO. 2

On page 2, line 10, change "**until**" to "**unless**"

AMENDMENT NO. 3

On page 2, line 11, after "**electorate**" delete the period "." and insert: "**at the election provided for in this Paragraph.**"

AMENDMENT NO. 4

On page 2, line 12, after "**N.(1)**" insert "**(a)**"

AMENDMENT NO. 5

On page 2, line 15, after "**1950**" insert "**to implement tax increment financing**"

AMENDMENT NO. 6

On page 2, between lines 21 and 22, insert:

"(b) Notwithstanding any provision of law to the contrary, any portion of the tax of any local governmental subdivision or other tax recipient body may only be used as a tax increment for tax increment finance purposes with the consent of such local governmental subdivision or other tax recipient body expressed by ordinance or resolution and upon approval of a majority of the qualified electors of the city of Monroe voting at an election to be conducted in accordance with the general election laws of the State of Louisiana."

On motion of Senator Jones, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Chaisson
Cravins
Dupre
Total - 15

Ellington
Gautreaux N
Heitmeier
Jones
Malone

Marionneaux
McPherson
Murray
Nevers
Shepherd

NAYS

Adley
Barham
Boasso
Cain
Total - 11

Dardenne
Hollis
Kostelka
Romero

Smith
Theunissen
Ullo

ABSENT

Amedee
Broome
Cheek
Duplessis
Total - 12

Fields
Fontenot
Gautreaux B
Jackson

Lentini
Michot
Mount
Schedler

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Jones, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 325—

BY SENATOR JONES

AN ACT

To enact R.S. 33:9038.28, relative to special districts; to create the city of Monroe Riverfront Development District within the Monroe Downtown Development District; to provide relative to the purpose, governance, duties, and authority of the district; to provide for its rights and powers, including the authority for tax increment financing by the district, subject to the approval of district voters; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 325 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:9038.28" to "R.S. 33:2740.49(H), (I), and (J)"

AMENDMENT NO. 2

On page 1, line 2, after "districts;" delete the remainder of the line and delete lines 3 through 5, and insert: "to provide to the Downtown Economic Development District of the City of Monroe the authority for tax increment"

AMENDMENT NO. 3

On page 1, line 6, change "district" to "city"

AMENDMENT NO. 4

On page 1, line 10, change "R.S. 33:9038.28" to "R.S. 33:2740.49(H), (I), and (J)"

AMENDMENT NO. 5

On page 1, delete lines 11 through 17, and on page 2, delete lines 1 through 4, and insert:

"§2740.49. The Downtown Economic Development District of the City of Monroe; creation, composition, and powers; preparation of plans, levy of special ad valorem taxes, and insurance of bonds and other instruments of indebtedness

* * *

AMENDMENT NO. 6

On page 2, line 5, change "D." to "H."

AMENDMENT NO. 7

On page 2, between lines 27 and 28, insert the following:

"(4) Notwithstanding any provision of law to the contrary, any portion of the tax of any local governmental subdivision or other tax recipient body may only be used as a tax increment for tax increment finance purposes with the consent of such local governmental subdivision or other tax recipient body expressed by ordinance or resolution and upon approval of a majority of the qualified electors of the city of Monroe voting at an election to be conducted in accordance with the general election laws of the State of Louisiana."

AMENDMENT NO. 8

On page 2, line 28, change "E." to "I."

AMENDMENT NO. 9

On page 3, line 4, change "F." to "J."

On motion of Senator Jones, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Bajoie	Ellington	McPherson
Broome	Gautreaux N	Michot
Cain	Heitmeier	Murray
Chaisson	Hollis	Nevers
Cheek	Jackson	Shepherd
Cravins	Jones	Ullo
Duplessis	Kostelka	
Total - 23		

NAYS

Adley	Boasso	Malone
Amedee	Dardenne	Smith
Barham	Fontenot	Theunissen
Total - 9		

ABSENT

Fields	Lentini	Romero
Gautreaux B	Mount	Schedler
Total - 6		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

SENATE BILL NO. 312—

BY SENATOR ULLO

AN ACT

To enact R.S. 17:10.7, relative to school and district accountability; to provide for the status of a city, parish, or other local public school system which is academically in crisis and financially in crisis; to provide a procedure for the emergency transfer of all power and responsibility to operate, manage, and administer such a school system to an administrator; to provide for the selection of the administrator; to provide for the duration of his service; to provide for the authority and duties of the administrator; to provide for the establishment of an advisory council; to provide for the obligation of the system on contracts; to provide for the obligation of the system regarding debt; to provide definitions; and to provide for related matters.

Motion

On motion of Senator Ullo, Senate Bill No. 312 was made Special Order of the Day No. 1 on Monday, June 13, 2005, immediately following the Morning Hour.

Senator Bajoie in the Chair

Senate Concurrent Resolutions Returned from the House of Representatives with Amendments

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the state of Louisiana to determine whether or not it is in the best interest of the state to assume full ownership and possession of the real property and all of the improvements located on the property formerly known as Swanson Correctional Center for Youth-Madison Parish Unit facility at Tallulah or to authorize the city of Tallulah to assume such ownership and possession and to take whatever action facilitates the best interest of the state, subject to the approval of the Joint Legislative Committee on the Budget.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Concurrent Resolution No. 14 by Senator Jones

AMENDMENT NO. 1

On page 2, at the end of line 26, before the period "." insert "and the Commissioner of Administration"

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneaux
Amedee	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero

Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Fields	Lentini	Schedler
Gautreaux B	Mount	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the issue of improving the health and safety of student athletes in Louisiana's secondary schools.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Original Senate Concurrent Resolution No. 52 by Senator Hines

AMENDMENT NO. 1

On page 2, line 5, after "Association," and before "the" delete "and"

AMENDMENT NO. 2

On page 2, at the end of line 6, delete the period "." and insert "the Louisiana Chapter of the American Academy of Pediatrics, the Louisiana Assembly on School-Based Health Care, and the Louisiana Academy of Family Physicians."

AMENDMENT NO. 3

On page 2, line 15, after "Association," and before "the" delete "and"

AMENDMENT NO. 4

On page 2, line 15, after "Society," and before "and" insert "the Louisiana Chapter of the American Academy of Pediatrics, the Louisiana Assembly on School-Based Health Care, and the Louisiana Academy of Family Physicians,"

AMENDMENT NO. 5

On page 2, line 24, after "Association," and before "the" delete "and"

AMENDMENT NO. 6

On page 2, at the end of line 24, delete the period "." and insert "the Louisiana Chapter of the American Academy of Pediatrics, the Louisiana Assembly on School-Based Health Care, and the Louisiana Academy of Family Physicians."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Original Senate Concurrent Resolution No. 52 by Senator Hines

AMENDMENT NO. 1

On page 2, line 1, after "area" and before "could" insert a comma ", including reports of high blood pressure among student athletes,"

AMENDMENT NO. 2

On page 2, line 9, after "schools," and before "to" insert "which study shall include reports of high blood pressure among student athletes,"

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Malone
Adley	Duplessis	Marionneau
Amedee	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Fields	Lentini	Schedler
Gautreaux B	Mount	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senate Resolutions
on Second Reading
Reported by Committees**

The following Senate Resolutions reported by Committees were taken up and acted upon as follows:

SENATE RESOLUTION NO. 122—

BY SENATOR CAIN

A RESOLUTION

To urge and request the Senate Committee on Insurance to meet and study ways to increase the affordability and availability of workers' compensation insurance for farmers and the possible effects of excluding certain farming operations from mandatory workers' compensation insurance.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Resolution No. 122 by Senator Cain

AMENDMENT NO. 1

On page 1, between lines 17 and 18, insert the following:

"BE IT FURTHER RESOLVED, that the committee shall review and examine the feasibility of and the statutory changes that would be needed to authorize farmers to provide workers' compensation coverage under their existing homeowner's insurance policy, general liability insurance policy, or umbrella insurance policy in lieu of obtaining a separate workers' compensation insurance policy."

On motion of Senator Cain, the committee amendment was adopted.

The resolution was read by title. On motion of Senator Cain the amended Senate Resolution was adopted.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATOR JONES**

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet jointly to examine issues related to the investment in and establishment of low-income housing and to determine and report on legislative initiatives that would enhance and improve the climate for investment in low-income housing, including providing for alternate assessment of such housing as it relates to taxation and including authorizing the establishment of crime prevention districts in areas in which low-income housing is established.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Jones moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Lentini	
Dardenne	Malone	
Total - 34		

NAYS

Total - 0

ABSENT

Fields	Mount
Gautreaux B	Schedler
Total - 4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR DUPLESSIS**

A CONCURRENT RESOLUTION

To create and provide with respect to a Charity Hospital Governance Commission to study and make recommendations regarding the governance of the component of the Louisiana State University-Health Care Services Division in New Orleans known as Charity Hospital, and to determine the feasibility of removing Charity Hospital from the public state-owned hospital system under the administration and operation of Louisiana State University.

Reported favorably by the Committee on Health and Welfare.

On motion of Senator Ullo, the resolution was read by title and returned to the Calendar, subject to call.

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To create and provide for the Prescription Medication Donation Task Force to examine the issue of the donation by health care providers to charitable pharmacies of previously prescribed, but unused, prescription medications.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 101 by Senator McPherson

AMENDMENT NO. 1

On page 2, between lines 19 and 20 insert "(g) Charitable pharmacies in the state."

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator McPherson moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Schedler
Total - 3		

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Mr. President in the Chair

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 320—

BY SENATORS HEITMEIER AND MURRAY AND REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(6), (9), (12), (35), and (38), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to

June 9, 2005

provide for an effective date conditioned upon funding out of the State General Fund; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Lentini asked that Senate Bill No. 353 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 353— (Substitute of Senate Bill No. 207 by Senator Lentini)

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 48:390(A) and 756(A)(2), to enact R.S. 48:390.1 and 755(D), and to repeal R.S. 48:390(C) and (D), relative to railroads; to provide relative to railroad grade crossings; to provide relative to such crossings which are located on roads not maintained by the state; to authorize the Department of Transportation and Development to evaluate such crossings; to provide relative to railroad grade crossing closures on such roads determined to be necessary by the department; to prohibit the use of such funds for other uses until such closures are complete; to provide relative to eligibility for Transportation Enhancement Funds and Off-System Bridge Funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 353 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 48:390(A) and" delete the remainder of the line and insert "(B), to enact R.S. 44:4.1(B)(36) and R.S. 48:390.1,"

AMENDMENT NO. 2

On page 1, line 3, change "and (D)" to ", (D) and (E)"

AMENDMENT NO. 3

On page 1, at the end of line 7, after "department;" delete the remainder of the line and delete lines 8, 9 and 10 and insert "and to provide for related matters."

AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert as follows:

"Section 1. R.S. 44:4.1(B)(36) is hereby enacted to read as follows:

§4.1. Exceptions

* * *

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

* * *

(36) R.S. 48:390 and 390.1.

* * *

AMENDMENT NO. 5

On page 1, line 12, change "Section 1." to "Section 2." and delete "756(A)(2)" and insert in lieu thereof "(B)"

AMENDMENT NO. 6

On page 1, line 13, delete "and 755(D) are" and insert "is"

AMENDMENT NO. 7

On page 1, delete lines 15 and 16 and insert in lieu thereof the following:

"A. ~~No later than March 1, 1999, the~~ The secretary shall complete a study of all public railroad grade crossings to establish priorities for railroad grade crossing closures improvement, relocation, or closure in"

AMENDMENT NO. 8

On page 2, line 1, after "improvements" delete "and" and insert "relocations or"

AMENDMENT NO. 9

On page 2, at the end of line 4, after "Section." insert as follows:

"The department's plan shall be conducted in accordance with federal guidelines and Title 23 of the Code of Federal Regulations Part 646 relative to railroad-highway projects.

B. The department, when it determines that it is necessary for the safety of the public, may improve, change the location of or abolish any existing public grade crossing on any state-maintained highway, in the state in compliance with the following procedure:

(1) ~~Not less than one hundred eighty days prior to the closure of any public grade crossing, the department shall notify the municipal governing authority of the area in which the crossing is located, the governing authority of the parish in which the crossing is located, the railroad company whose railroad tracks are crossed at grade by the highway, emergency services providers providing services within the affected area, and any other party deemed by the secretary to be interested in the closure procedure. Such notification of closures shall offer opportunity for rebuttals and alternative actions to such closures.~~

(2) ~~Not less than ninety days prior to the possible closure of any public grade crossing, the department shall hold a public hearing in the parish or municipality of the affected grade crossing.~~

(3) ~~After the hearing, the department shall attempt to address any concerns raised at the hearing relative to the proposed closing. However, if the secretary determines that the closure is consistent with the standards established by the department and in the public interest, the department shall issue an order to close the existing grade crossing. Any such closure order shall also determine the manner in which such closure shall be made, including a determination as to any alteration to be made to the crossing and the method of diversion of traffic to an alternate road or crossing. No provisions of this Section shall impose any liabilities of any nature upon the state of Louisiana or any agency thereof, nor shall any action or omission of the department be discoverable or admissible in any state court in Louisiana, and no record or document of the department compiled or prepared in connection with actions taken by the department pursuant to this Section, R.S. 48:390.1 or 23 U.S.C. §130 shall be a public record.~~

* * *

AMENDMENT NO. 10

On page 2, at the end of line 6, after "roads" delete the remainder of the line and delete lines 7 and 8

AMENDMENT NO. 11

On page 2, delete lines 9 and 10, and insert as follows:

"A.(1) The department is authorized to evaluate the need to close any public railroad grade crossing on a non-state maintained highway within the territorial"

AMENDMENT NO. 12

On page 2, at the end of line 13, after "Program." insert the following:

"The department's evaluation shall be conducted in accordance with federal guidelines and Title 23 of the Code of

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Federal Regulations Part 646 relative to railroad-highway projects.

(2) If the evaluation suggests that closure of a public grade crossing on a non-state maintained highway is necessary for safety and in the best interest of the public, the department shall encourage public participation in accordance with the following procedure:

(a) Provide written notice to the local governing authority with jurisdiction over the non-state maintained highway, the railroad company whose railroad tracks are crossed at grade by the highway, and any other party deemed by the department to be interested in the necessity to close a public grade crossing.

(b) The notice shall establish a set time period of not less than thirty days for the local governing authority, railroad, or other interested party to respond to the department.

(c) The department shall attempt to address concerns of the local governing authority, the railroad, or other interested party timely communicated to the department in writing or received at any public hearing held by the local governing authority relative to closure.

(3) Upon compliance with Paragraph (2) of this Subsection, if the department opines that closure of a public grade crossing satisfies the guidelines established by the Federal Railroad Crossing Safety Program, is necessary for safety and in the best interest of the public, the department is authorized to issue a notice of intent and written determination to close an existing public grade crossing on a non-state maintained highway, which determination will include a summary of findings, the manner in which such closure is to be made, and any alterations to be made to the crossing.

(4) The department shall mail a copy of the notice of intent and determination pursuant to Paragraph (3) of this Subsection to the local governing authority with jurisdiction over the non-state maintained highway and the railroad. The local governing authority may submit a written request to the chief engineer for reconsideration of the department's determination. A reconsideration request shall be postmarked within fifteen calendar days, excluding weekends and holidays, from the date of mailing of the notice. A rail safety reconsideration board composed of the secretary, the chief engineer, and the executive director of the Louisiana Highway Safety Commission shall consider the request and issue a final determination not later than fifteen calendar days, excluding weekends and holidays, of the date of receipt of the local governing authority's reconsideration request. The determination of the rail safety reconsideration board shall be final.

(5) Notwithstanding any provision of this Part or any other law to the contrary, when the department has finally determined that closure of a public grade crossing on a non-state maintained highway is necessary for the safety and in the best interest of the public, the public grade crossing on the non-state maintained highway shall be closed by cooperative action between the department and the railroad.

(6) Payment of costs to close a public grade crossing pursuant to a final closure determination pursuant to this Subsection shall not be an obligation of the local governing authority."

AMENDMENT NO. 13

On page 2, delete lines 14 through 29, and on page 3, delete lines 1 through 7

AMENDMENT NO. 14

On page 3, at the beginning of line 8, change "D." to "B."

AMENDMENT NO. 15

On page 3, line 9, delete "taken by" insert "or omission of" and after "department" insert ", railroad, or any local governing authority"

AMENDMENT NO. 16

On page 3, line 11, after "thereof" delete the period "." and insert "or constitute transfer or assumption of care, custody and control of the non-state maintained highway and public grade crossing by the state of Louisiana, or any department or agency thereof,

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particularly the Department of Transportation and Development, nor shall any action or omission of the department or any local governing authority be discoverable or admissible in any state court in Louisiana, and no record or document of the department or any local governing authority compiled or prepared pursuant to R.S. 48:390, this Section or 23 U.S.C. §130 shall be a public record."

AMENDMENT NO. 17

On page 3, line 12, change "E." to "C."

AMENDMENT NO. 18

On page 3, delete lines 16 through 29, and on page 4, delete lines 1 through 16

AMENDMENT NO. 19

On page 4, line 17, change "Section 2." to "Section 3." and change "and (D)" to ", (D) and (E)"

Senator Lentini moved adoption of the amendments.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Cheek	Lentini
Amedee	Dardenne	Malone
Bajoie	Dupre	Marionneaux
Barham	Ellington	Murray
Boasso	Fontenot	Smith
Broome	Heitmeier	Theunissen
Chaisson	Hollis	Ullo
Total - 21		

NAYS

Cain	Michot	Shepherd
Cravins	Nevers	
Gautreaux N	Romero	
Total - 7		

ABSENT

Mr. President	Jackson	Mount
Duplessis	Jones	Schedler
Fields	Kostelka	
Gautreaux B	McPherson	
Total - 10		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 353 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 48:390.1" to "R.S. 48:389.2, 390.1,"

AMENDMENT NO. 2

On page 1, line 3, after "railroads;" insert "to provide for railroad safety; to require notification of any train derailment to local authorities;"

AMENDMENT NO. 3

On page 1, line 13, change "R.S. 48:390.1" to "R.S. 48:389.2, 390.1,"

AMENDMENT NO. 4

On page 1, between lines 13 and 14, insert the following:

"§389.2. Train derailments; notification

A. It shall be the responsibility of any railroad company or carrier operating any railroad, engine, or train within this state to immediately provide notification to the local authorities as provided in Subsection B of this Section within thirty minutes of a derailment which occurs within the jurisdiction of such authorities. Any information on such derailment shall be updated as soon as the updated information is received by the railroad company or carrier operating any railroad, engine, or train within this state.

B. Notification as required by Subsection A of this Section shall be provided to the following persons:

(a) The chief law enforcement officer of any parish or municipality.

(b) The parish or municipal governing authority.

(c) The superintendent of the city or parish school board.

(d) The chief of the local fire department."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Lentini moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	McPherson
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Schedler
Broome	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 30		

NAYS

Cain	Gautreaux N	Romero
Cravins	Michot	
Total - 5		

ABSENT

Fields	Gautreaux B	Marionneaux
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 220 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 220—
BY SENATOR FONTENOT**AN ACT**

To amend and reenact R.S. 23:992, relative to employment of certain aliens; to prohibit the hiring of an alien who is not entitled to lawfully reside or work in the United States; to provide for penalties; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Original Senate Bill No. 220 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, following "R. S. 23:992" and before ",," insert "and to repeal R. S. 23:992.1"

AMENDMENT NO. 2

On page 1, line 8, following "A." delete " * * *" and insert "No person, either for himself or on behalf of another, shall employ, hire, recruit, or refer, for private or public employment within the state, an alien who is not entitled to lawfully reside or work in the United States."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Fontenot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Dupre	Marionneaux
Bajoie	Fontenot	Murray
Broome	Jackson	Shepherd
Cain	Jones	
Cravins	Kostelka	
Total - 13		

NAYS

Adley	Gautreaux N	Nevers
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Chaisson	Lentini	Smith
Cheek	Malone	Theunissen
Dardenne	Michot	Ullo
Ellington	Mount	
Total - 20		

ABSENT

Mr. President	Fields	McPherson
Duplessis	Gautreaux B	
Total - 5		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Fontenot, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE FAUCHEUX**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States of America to take such actions as are necessary to enact legislation establishing English as the official language of the United States.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Amedee moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Kostelka
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Personal Privilege

Senator Kostelka asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Concurrent Resolution No. 19. He had intended to vote yea on the resolution. He asked that the Official Journal so state.

HOUSE CONCURRENT RESOLUTION NO. 82—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd

Chaisson
Cheek
Cravins
Dardenne
Total - 35

Jones
Kostelka
Lentini
Malone

Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Marionneaux
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 83—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Shepherd moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 87—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Kostelka
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 96—

BY REPRESENTATIVES DOERGE AND WALKER

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations to provide for the licensing of after-school enrichment programs, pursuant to Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Concurrent Resolution No. 96 by Representative Doerge

AMENDMENT NO.1

On page 2, between lines 11 and 12 insert the following:

"BE IT FURTHER RESOLVED that for the limited purpose of adopting rules and regulations pursuant to this House Concurrent Resolution, as requested by the department in lieu of legislation creating an after-school enrichment program, time is of the essence and, accordingly, the legislature does hereby find that an emergency exists sufficient to justify the adoption of such rules and regulations pursuant to the emergency rules provision of the Administrative Procedure Act."

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator Adley moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 97—

BY REPRESENTATIVE THOMPSON AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Broadband Advisory Council to conduct any necessary pilot project relative to determining the true functionality and affordability of current and future broadband delivery technologies relative to broadband deployment.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

The resolution was read by title. Senator Ellington moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Shepherd
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 98— BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Concurrent Resolution No. 98 by Representative Badon

AMENDMENT NO.1

On page 3, line 15 after "Senate" insert "and the health and welfare committees of the Senate and the House of Representatives"

On motion of Senator McPherson, the committee amendment was adopted.

The resolution was read by title. Senator Duplessis moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 135— BY REPRESENTATIVES JOHNS, K. CARTER, AND PINAC

A CONCURRENT RESOLUTION

To create and provide with respect to a Uniform Building Code Task Force, under the commissioner of insurance, to study current laws and regulations related to the construction of buildings and structures throughout the state and to make recommendations regarding legislation.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 136— BY REPRESENTATIVES ARNOLD AND TUCKER AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To memorialize the Base Closure and Realignment Act Commission to favorably consider the "federal city concept" for expanding the Naval Support Activity military installation on the west bank of the Mississippi River in New Orleans by consolidating the

Navy, Marine, and Army flag/general commands in the New Orleans area, moving in the 8th Coast Guard District headquarters, and possibly housing a new regional Homeland Security headquarters at the renovated military installation.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. Senator Heitmeier moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 320 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 320—

BY SENATORS HEITMEIER AND MURRAY AND REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(6), (9), (12), (35), and (38), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for an effective date conditioned upon funding out of the State General Fund; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

HOUSE BILL NO. 10—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:7574.1, relative to beachfront development districts in Cameron Parish; to provide for the membership of the board of commissioners of Beachfront Development District No. Two of Cameron Parish; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Fields Gautreaux B Marionneaux
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 67—

BY REPRESENTATIVE WALKER

AN ACT

To amend and reenact R.S. 37:793(A)(1)(d) and (2)(a), (B)(1), (2), and (3), (C), (D)(1), (2) (introductory paragraph) and (c), (E), (F), (G)(1), and (H), to enact R.S. 37:793(B)(4) and (5), and to repeal R.S. 37:793(A)(1)(i), relative to enteral conscious sedation; to provide for changes in definitions; to provide for enteral conscious sedation to be performed on patients of all ages; to clarify the circumstances in which a permit is necessary; to require written reporting; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 118—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 37:3298(B), relative to private security; to provide an exception to the private security law for peace officers; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray

Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 164—

BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact R.S. 22:1262.1(G) and to repeal R.S. 22:1262.1(F)(2), relative to surplus lines insurance; to provide for notice of removal from approved list; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	

Total - 35

NAYS

Total - 0

ABSENT

Fields Gautreaux B Schedler
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DORSEY

AN ACT

To enact R.S. 11:162(E), R.S. 17:1519.16, and R.S. 42:398 and 808(D) and to repeal R.S. 11:413(12), relative to certain health care professionals employed by medical centers of the Louisiana State University Health Sciences Center; to authorize establishment of unclassified health care professional employee pools for such medical centers; to provide for benefits of employees in the pools; and to provide for related matters.

The bill was read by title. Senator Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 402—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1136(B)(1), relative to business entities as insurance producers; to provide for notices; to provide for change of status; to provide for branch locations; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 403—

BY REPRESENTATIVES WADDELL AND PINAC

AN ACT

To enact R.S. 37:1448.1, relative to real estate brokers and licensees; to provide for requirements for a non-compete agreement; to provide for enforcement; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

NAYS

Marionneaux

Total - 1

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Ellington in the Chair**HOUSE BILL NO. 408—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:289, relative to executive officers and employees; to provide for loan restrictions; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Duplessis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee Gautreaux B
Fields Shepherd

Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Duplessis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 490—

BY REPRESENTATIVES WADDELL, PINAC, JOHNS, AND THOMPSON
AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to the State Licensing Board for Contractors; to provide for donations to public university or community college foundations by contractors; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 33

NAYS

Total - 0

ABSENT

Amedee Fields Marionneaux
Duplessis Gautreaux B

Total - 5

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 561—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 22:1193(E) and 2092.3, relative to title insurance agents; to require continuing education for renewal of licensure; to provide for domicile of agents; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson

Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 601—

BY REPRESENTATIVES SALTER, MONTGOMERY, ST. GERMAIN, ARNOLD, BALDONE, CURTIS, FAUCHEUX, HILL, HONEY, KENNEY, ODINET, JANE SMITH, AND TOWNSEND
AN ACT

To enact R.S. 47:359(K), relative to the occupational license tax; to provide by which the occupational license tax is assessed on pharmacies; to provide for the amount of the tax; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 645—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 6:255 and R.S. 12:57 and to enact R.S. 6:257 and R.S. 12:59, relative to shares of stock; to provide for shares without stock certificates; to provide for transfer of shares; and to provide for related matters.

June 9, 2005

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Fields	Gautreaux B
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 696—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3578.6(A)(8), relative to the Louisiana Deferred Presentment and Small Loan Act; to provide for prohibited acts; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Cravins	Fields	Gautreaux B
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 749—

BY REPRESENTATIVES HUTTER, BARROW, BAUDOIN, BOWLER, AND KATZ AND SENATOR DUPLESSIS

AN ACT

To enact Part XII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2198.11 through 2198.13, relative to pain management clinics; to provide for definitions; to provide for licensure; to provide for rules and regulations; to provide for fees; to provide for the use of fee proceeds; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 749 by Representative Hutter

AMENDMENT NO. 1

Delete Senate committee amendments Nos. 1 through 7 proposed by the Health and Welfare Committee and adopted by the Senate on May 26, 2005.

AMENDMENT NO. 2

On page 1, between lines 13 and 14, insert "(1) 'Board' means the Louisiana State Board of Medical Examiners."

AMENDMENT NO. 3

On page 1, line 14, change "(1)" to "(2)"

AMENDMENT NO. 4

On page 1, line 15, change "(2)" to "(3)"

AMENDMENT NO. 5

On page 1, between lines 17 and 18, insert the following:

"(4) 'Physician' means an individual who possesses a current, unrestricted license to practice medicine in Louisiana, who during the course of his practice has not been denied the privilege of prescribing, dispensing, administering, supplying or selling any controlled dangerous substance and who has not within the past five years had board action taken against his medical license as a result of dependency on drugs or alcohol."

AMENDMENT NO. 6

On page 1, line 20, after "a" delete the remainder of the line and insert in lieu thereof: "physician certified in the subspecialty of pain management by a member board of the American Boards of Medical Specialties."

AMENDMENT NO. 7

On page 1, delete line 21 in its entirety

AMENDMENT NO. 8

On page 2, line 1, after "department" and before "shall" insert "and board"

AMENDMENT NO. 9

On page 2, line 2, after "regulations" and before "as" insert ", with respect to pain management clinics and the physicians who may practice in such clinics."

AMENDMENT NO. 10

On page 2, between lines 13 and 14 insert the following:

"(8) Non transferability of licenses."

AMENDMENT NO. 11

On page 2, delete lines 16 through 29 in their entirety and insert in lieu thereof:

"D. The provisions of this Part shall not apply to any of the following:

(1) A medical school or outpatient clinic associated with a medical school."

(2) A hospital, including any outpatient facility or clinic of the hospital that is separated physically from the hospital, or any other medical facility that is licensed and regulated by the department.

(3) A hospice established pursuant to R.S. 40:2181 et seq.

(4) A facility maintained or operated by the state of Louisiana or a governmental entity of this state.

(5) A clinic maintained or operated by the United States or by any of its departments, offices, or agencies."

AMENDMENT NO. 12

On page 3, delete lines 1 through 8 in their entirety

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Jones
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 59—

BY REPRESENTATIVE E. GUILLORY

AN ACT

To amend and reenact R.S. 37:367, relative to issuance of certain certificates of registration; to prohibit the listing of complete social security numbers on the certificates of registration for barbers and instructors; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 59 by Representative E. Guillory

AMENDMENT NO. 1

On page 1, line 11, after "registration" and before "issued" insert "or instructor certificate"

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 100—

BY REPRESENTATIVE FANNIN

AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish from the Department of Transportation and Development to the town of Chatham; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

June 9, 2005

HOUSE BILL NO. 241—

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 33:4574(B)(18) and 4574.1.1(A)(18), relative to Lincoln Parish; to change the name of the parish tourist commission; to authorize the parish tourist commission to increase the hotel occupancy tax; and to provide for related matters.

The bill was read by title. Senator Kostelka moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux N	Mount
Boasso	Heitmeier	Murray
Broome	Hollis	Nevers
Chaisson	Jackson	Romero
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Total - 33		

NAYS

Ullo
Total - 1

ABSENT

Cain	Gautreaux B
Fields	Schedler
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 241. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 249—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with any permit granted by the Department of Environmental Quality or the office of conservation of the Department of Natural Resources; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 249 by Representative Frith

AMENDMENT NO.1

Delete Senate Floor Amendment No. 5 proposed by Senator Theunissen and adopted by the Senate on May 31, 2005.

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Theunissen moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Kostelka
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 253—

BY REPRESENTATIVES BURNS AND SCHNEIDER

AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Romero
Boasso	Hollis	Schedler
Broome	Jones	Shepherd
Cain	Kostelka	Smith
Chaisson	Lentini	Theunissen
Cheek	Malone	Ullo
Cravins	Marionneaux	
Dardenne	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Duplessis Gautreaux B
Fields Jackson
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 279— BY REPRESENTATIVE BAYLOR AN ACT

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 302— BY REPRESENTATIVE WOOTON AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields Gautreaux B Jackson
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 331— BY REPRESENTATIVES HILL AND FRITH AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields Gautreaux B Jackson
Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

HOUSE BILL NO. 344— BY REPRESENTATIVE MCVEA AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields Gautreaux B
Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 369 by Representative Durand

AMENDMENT NO. 1

On page 2, delete lines 3 through 5

AMENDMENT NO. 2

Delete lines 9 through 13 of Amendment No. 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005, and insert the following:

“(3) The department shall not restrict by prior authorization an atypical antipsychotic medication prescribed for the treatment of schizophrenia or mental illness with psychotic symptoms for a Medicaid recipient that has had a prescription for such atypical antipsychotic paid for by Medicaid during the six months prior to the effective date of the class being placed on the Medicaid preferred drug list.”

On motion of Senator McPherson, the amendments were adopted.

On motion of Senator McPherson, the amended bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 398—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

The bill was read by title. Senator Cain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 443—

BY REPRESENTATIVES CURTIS AND HUNTER

AN ACT

To enact R.S. 23:1539.1, relative to unemployment insurance; to provide for authority to prohibit employing units from avoiding the payment of state unemployment taxes, commonly referred to as "SUTA Dumping"; to provide meaningful penalties for avoiding the payment of state unemployment taxes; to provide for rules; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 448—

BY REPRESENTATIVES HOPKINS AND SALTER

AN ACT

To amend and reenact R.S. 40:1149, relative to certified operators of water systems; to exempt certain systems from operation and on-site premises requirements; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount

June 9, 2005

Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 464—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:361.2(A)(2)(d) and to enact R.S. 15:587(A)(1)(d), relative to motor vehicle safety equipment; to provide relative to medical exemptions to window tinting regulations; to require applicants for such exemptions to consent to the release of criminal history records and identification files under certain circumstances; to require the release of such information to law enforcement agents under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 475—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 482—

BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact R.S. 23:1474(B), (C), (D), (F)(1), (G)(3), and (I), 1535, 1536(D)(3), and 1553(B)(6), (7)(b), (8), (9)(b), (10), and (11)(b), relative to unemployment compensation; to provide for fluctuation of the benefit amount based upon the applied balance of the state unemployment trust fund; to provide for fluctuation of wages upon which contributions are paid based upon the applied balance of the state unemployment trust fund; to provide for the tax rate table; to provide for an appropriation for customized training and administrative costs in the social charge recoupment account based in the applied balance of the state unemployment trust fund; to delete the provision relative to the new employer tax rate table; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Shepherd
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total - 34		

NAYS

June 9, 2005

Total - 0

ABSENT

Fields Lentini
Gautreaux B Schedler
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 494—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:320(A)(1), relative to use of certain recreational fishing gear; to clarify areas of the state where wire nets and hoop nets may be used for recreational fishing; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 512—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 512 by Representative E. Guillory

AMENDMENT NO. 1

Delete Senate Committee Amendment number 11 of amendments proposed by the Senate Committee on Local and Municipal Affairs on May 26, 2005 and adopted by the Senate on May 31, 2005.

AMENDMENT NO. 2

On page 4, line 9 after "duties" insert ", in accordance with the provisions of R.S. 33:1332"

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Romero
Broome	Jackson	Schedler

Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Cravins	Fields	Gautreaux B
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 558—

BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; to provide for exemptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Reengrossed House Bill No. 558 by Representative LaBruzzo

AMENDMENT NO. 1

Delete Senate Committee Amendment numbers 4, 5, 6, 7, and 8 which were proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2005.

AMENDMENT NO. 2

On page On page 1, line 6, delete "to provide for exemptions" and insert "**to provide a right of first refusal to charitable pharmacies**"

AMENDMENT NO. 3

On page 3, after "G" delete the rest of the line and delete lines 13 through 25 in their entirety and insert the following: "**A donation made by a hospital, health care facility, or governmental entity to a penal institution may be made only if all charitable pharmacies located within one hundred miles of the donating hospital, health care facility, or governmental entity have been offered and have refused to accept such donation.**"

Senator Jackson moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Mount
Adley	Dupre	Murray
Amedee	Gautreaux N	Nevers
Bajoie	Heitmeier	Romero
Barham	Hollis	Shepherd
Broome	Jackson	Smith
Cain	Malone	Theunissen
Chaisson	Marionneaux	Ullo

June 9, 2005

Cheek
Dardenne
Total - 28

McPherson
Michot

NAYS

Boasso
Ellington
Total - 5

Fontenot
Kostelka

ABSENT

Cravins
Fields
Total - 5

Gautreaux B
Jones
Schedler

The Chair declared the amendments were adopted.

The bill was read by title. Senator Lentini moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Dardenne
Duplessis
Total - 34

Dupre
Ellington
Fontenot
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Lentini
Malone
Marionneaux
McPherson

Michot
Mount
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Kostelka
Total - 1

ABSENT

Cravins
Total - 3

Fields
Gautreaux B

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 569—

BY REPRESENTATIVE BAUDOIN
AN ACT

To enact R.S. 47:463.129, relative to motor vehicle prestige license plates; to provide for the creation of a Ladies Auxiliary, V. F. W. prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie

Duplessis
Dupre
Ellington
Fontenot
Marionneaux
McPherson
Michot
Mount

Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 36

Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Kostelka
Lentini
Malone
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Fields
Total - 2

Gautreaux B

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 595—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to clarify the powers of the Sabine River Authority to enter into certain contracts and agreements; to provide for an effective date; to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Total - 35

Duplessis
Dupre
Ellington
Fontenot
Gautreaux N
Heitmeier
Hollis
Jackson
Jones
Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Murray
Nevers
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Fields
Total - 3

Gautreaux B
Kostelka

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 653—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 22:1193(L), relative to continuing education for licensed insurance producers; to provide for title insurance agents; and to provide for related matters.

On motion of Senator Kostelka, the bill was read by title and returned to the Calendar, subject to call.

June 9, 2005

HOUSE BILL NO. 777—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the development of certain curricular elements; to provide relative to inclusion of certain topics; to require the inclusion of the topic of adoption awareness in certain course material; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Adley	Dupre	Michot
Amedee	Ellington	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Fields	Gautreaux B	Jones
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

Louisiana State Board of Medical Examiners

June 9, 2005

The Honorable Donald E. Hines, President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804-9183

Dear Senator Hines:

In accordance with Louisiana Revised Statute 37:1314, the name of Mr. John Scott Stafford has been submitted as the hospital administrator from a list of three names submitted by the Louisiana Hospital Association.

In that regard, I hereby acknowledge the following appointment to the Clinical Laboratory Personnel Committee and submit to you the name for consideration of Senate confirmation as required by law.

HOSPITAL ADMINISTRATOR
CLINICAL LABORATORY PERSONNEL COMMITTEE
(Effective APRIL 27, 2005)
Mr. John Scott Stafford
159 Brown Road
Stonewall, LA 71078

Thank you in advance for your attention to this important matter, and please contact me should you have any questions or need additional information.

Very truly yours,
JOHN B. BOBEAR, M.D.
Executive Director

**House of Representatives
State of Louisiana**

December 10, 2004

Dr. Fred Cerise
Secretary, Department of Health and Hospitals
P. O. Box 629
Baton Rouge, LA 70821-0629

Re: Louisiana Diabetes Initiative Council

Dear Dr. Cerise:

This letter is to advise that I have appointed Representative Cedric Richmond to serve as a member of the Louisiana Diabetes Initiative Council, as created by SB 821 of this past regular session. Contact information for Representative Richmond is as follows:

The Honorable Cedric L. Richmond
State Representative
5437 Crowder Blvd., Ste. 2000
New Orleans, LA 70127

Thank you for your attention to this, matter. If I or my staff can be of any assistance to you, please do not hesitate to call.

Sincerely,
JOE R. SALTER
Speaker

**Senate
State of Louisiana**

November 17, 2004

Honorable Diana Bajoie
State Senator
P. O. Box 15168
New Orleans, LA 70175

RE: Louisiana Diabetes Initiatives Council (Act 726, 2004 R.S.)

Dear Senator Bajoie:

In accordance with the provisions of Act 726 of the 2004 Regular Session of the Legislature, the Louisiana Diabetes Initiatives Council is created within the Department of Health and Hospitals to annually assess the effects of diabetes mellitus and the status of education, clinical research, and translation of new diabetes treatment methods in the state.

It is my pleasure to appoint you to serve on the Council. Thank you for your interest and service in this important undertaking.

June 9, 2005

Sincerely,
DONALD E. HINES
President

**Senate
State of Louisiana**

August 11, 2004

The Honorable Joe McPherson
State Senator
880 Robinson Bridge Rd.
Woodworth, LA 71485

Re: Nursing Home Quality and Efficiency Board

Dear Joe:

Senate Bill No. 492 of the 2004 Regular Session enacted R.S. 40:2009.24, creating the Nursing Home Quality and Efficiency Board in the Department of Health and Hospitals. The board is charged with developing recommendations for programs designed to promote quality care and increase efficiency and to encourage nursing homes to operate at an occupancy level of 95 percent.

It is my pleasure to appoint you to serve as a member of the Nursing Home Quality and Efficiency Board. Your knowledge and expertise in the areas of providing quality care and efficient long term health care services to the elderly and disabled will be of great benefit to the board.

Thank you for your time and service.

Sincerely,
DONALD E. HINES
President

**House of Representatives
State of Louisiana**

September 29, 2004

The Honorable Kathleen Babineaux Blanco
Governor of the State of Louisiana
P. O. Box 94004
Baton Rouge, LA 70804

Re: Women's Health Commission

Dear Governor Blanco:

This letter is to advise that I have appointed Representative Yvonne Dorsey to serve as my designee on the Women's Health Commission, as created by SB 408 of the 2004 Regular Session.

Thank you for your attention to this matter. If I or my staff can be of any assistance to you, please do not hesitate to call.

Sincerely,
JOE R. SALTER
Speaker

**Senate
State of Louisiana**

September 22, 2004

Honorable Diana Bajoie
State Senator
P. O. Box 15168
New Orleans, LA 70175

RE: Women's Health Commission (Act 644, 2004 R.S.)

Dear Senator Bajoie:

In accordance with the provisions of Act 644 of the 2004 Regular Session of the Legislature, the Women's Health Commission is established to study and make recommendations relative to the education and improvement of women's health and social services in Louisiana.

It is my pleasure to appoint you to serve as a member of the Commission. Thank you for your interest and service in this important undertaking.

Sincerely,
DONALD E. HINES
President

**Senate
State of Louisiana**

March 10, 2005

Honorable Sharon Weston Broome
State Senator
P. O. Box 52783
Baton Rouge, LA 70892

RE: Women's Health Commission (Act 644, 2004 R.S.)

Dear Senator Broome:

In accordance with the provisions of Act 644 of the 2004 Regular Session of the Legislature, the Women's Health Commission is established to study and make recommendations relative to the education and improvement of women's health and social services in Louisiana.

It is my pleasure to appoint you to serve as a member of the Commission. Thank you for your interest and service in this important undertaking.

Sincerely,
DONALD E. HINES
President

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR ADLEY**

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt a Minimum Foundation Program Formula that provides for the reallocation of the amount of state funds attributable to a secondary school student who is enrolled in a technical college from the city, parish, or other local public school system where the student attends to the technical college in which he is enrolled.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the process of assigning persons with developmental disabilities statewide.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study and make recommendations with respect to the feasibility of Louisiana joining the Nurse Licensure Compact.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To re-authorize and provide with respect to the Louisiana Public Mental Health Review Commission.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATORS AMEDEE AND BAJOE AND REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Centers and Tulane University Medical Center to assist Aneurysm Outreach Inc., by furnishing screening locations, appointment scheduling operators, and advertising support to develop a system to provide free abdominal aortic aneurysm screenings for those most at risk.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to assist in developing a plan to establish the Louisiana Cancer Patient's Residential Facility and support for all families of adult cancer patients receiving medical treatment at LSU Medical Center at E.A. Conway in Monroe, Louisiana and the Cancer Treatment Center in Monroe, Louisiana.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 17 by Representative T. Powell, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives T. Powell, Martiny and Ritchie.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 294 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Townsend, Quezaire and Hammett.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Appointment of Conference Committee
on House Bill No. 17**

The President of the Senate appointed on the Conference Committee on House Bill No. 17 the following members of the Senate: Senators Schedler, Chaisson and N. Gautreaux.

**Appointment of Conference Committee
on House Bill No. 294**

The President of the Senate appointed on the Conference Committee on House Bill No. 294 the following members of the Senate: Senators Smith, Ellington and Boasso.

**Introduction of
Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 109—

BY SENATORS ELLINGTON, ADLEY, BOASSO, CHAISSON, B. GAUTREAUX AND HEITMEIER

A CONCURRENT RESOLUTION

To create and provide with respect to a group to study issues relative to state participation in and implementation of the Federal Railroad Safety Program State Participation Agreement and to make recommendations to the legislature concerning legislation for the 2006 Regular Session.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Romero
Cain	Jackson	Schedler

Chaisson
Cheek
Cravins
Dardenne
Total - 36

Jones
Kostelka
Lentini
Malone

Shepherd
Smith
Theunissen
Ullo

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ABSENT

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The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 458—

BY REPRESENTATIVES DOWNS AND MCDONALD
AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 613—

BY REPRESENTATIVE BURNS
AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011 through 4014, relative to educational vouchers; to establish the Vouchers for Students in Failing Schools Pilot Program; to provide for the purposes of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for the issuance and value of educational vouchers to parents of eligible students; to provide relative to continued eligibility criteria and funding adjustments pursuant to the program; to provide for program administration and implementation by the state Department of Education; to provide for certain admissions procedures and limitations; to provide for applicability; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 458—

BY REPRESENTATIVES DOWNS AND MCDONALD
AN ACT

To amend and reenact R.S. 17:416(B)(1)(b), relative to the suspension and expulsion of certain public school students found carrying or possessing a knife; to require a school principal to take certain disciplinary action under specified circumstances; to provide exceptions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 613—

BY REPRESENTATIVE BURNS
AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4011 through 4014, relative to educational vouchers; to establish the Vouchers for Students in Failing Schools Pilot Program; to provide for the purposes of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for the issuance and value of educational vouchers to parents of eligible students; to provide relative to continued eligibility criteria and funding adjustments pursuant to the program; to provide for program administration and implementation by the state Department of Education; to provide for certain admissions procedures and limitations; to provide for applicability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To urge and request the office of conservation, Department of Natural Resources, in cooperation with the Ground Water Resources Commission and the Ground Water Management Advisory Task Force, to develop a model by which to best educate the public in water conservation.

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES CROWE AND LABRUZZO
A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the practice of prayer at the beginning of school board meetings, to recognize that such prayer is a protected act in accordance with the fundamental principles upon which the United States of America was founded, and to disapprove of a decision by the United States District Court for the Eastern District of Louisiana that ruled that the opening of meetings of the Tangipahoa Parish School Board with prayer is unconstitutional.

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana medical schools to consider requiring medical school students attending such institutions to participate in clinical rotations in rural areas of the state in order to encourage and promote expansion of the family physician workforce in these areas thereby affording better medical care to the citizens of areas of the state where there is a shortage of physicians and other health care professionals, and to urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to adopt appropriate policies providing for such rotations in the medical school programs under its jurisdiction and supervision.

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Commerce not to list the eastern oyster (*Crassostrea virginica*) under the Endangered Species Act of 1973.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES CROWE AND LABRUZZO

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the practice of prayer at the beginning of school board meetings, to recognize that such prayer is a protected act in accordance with the fundamental principles upon which the United States of America was founded, and to disapprove of a decision by the United States District Court for the Eastern District of Louisiana that ruled that the opening of meetings of the Tangipahoa Parish School Board with prayer is unconstitutional.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE M. POWELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana medical schools to consider requiring medical school students attending such institutions to participate in clinical rotations in rural areas of the state in order to encourage and promote expansion of the family physician workforce in these areas thereby affording better medical care to the citizens of areas of the state where there is a shortage of physicians and other health care professionals, and to urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to adopt appropriate policies providing for such rotations in the medical school programs under its jurisdiction and supervision.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVE FANNIN

A CONCURRENT RESOLUTION

To urge and request the office of conservation, Department of Natural Resources, in cooperation with the Ground Water Resources Commission and the Ground Water Management Advisory Task Force, to develop a model by which to best educate the public in water conservation.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Commerce not to list the eastern oyster (*Crassostrea virginica*) under the Endangered Species Act of 1973.

The resolution was read by title; lies over under the rules.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 9, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To amend the rule adopted as policy by the Facility Planning and Control Division of the Office Facilities Corporation regarding procedures for access by visitors and/or non-tenants to a state office building, and to direct such division to reissue its policy.

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the appropriate state agencies to take action to implement and enforce the law on delivery sales of cigarettes.

SENATE CONCURRENT RESOLUTION NO. 92—

BY SENATOR DUPRE AND REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To recognize and commend Regina Galjour, a civics educator at South Lafourche High School, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR HINES AND REPRESENTATIVE M. GUILLORY

A CONCURRENT RESOLUTION

To recognize and commend Deborah Tatman, a civics educator at Eunice High School, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATORS HINES, BAJOE AND CHEEK

A CONCURRENT RESOLUTION

To commend the Together 4 Access4 Prescription Savings Program for developing a system whereby Louisiana residents, who are without prescription drug coverage, may afford needed medications.

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR HOLLIS AND REPRESENTATIVE LABRUZZO

A CONCURRENT RESOLUTION

To recognize and commend Jamie Staub, a civics educator at Grace King High School in Metairie, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 96—

BY SENATOR BAJOEI

A CONCURRENT RESOLUTION

To commend Josephine Eli and Harold Fontenette for being the first two African-American students to pursue undergraduate higher educational studies, in 1958, at the Louisiana State University in New Orleans (LSUNO).

SENATE CONCURRENT RESOLUTION NO. 97—

BY SENATORS BOASSO AND SCHEDLER AND REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To recognize and commend Drena Hutchinson, a civics educator at Slidell High School, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 98—

BY SENATORS DARDENNE AND FONTENOT AND REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize and commend Nancy Ensminger, a civics educator at Parkview Baptist School in Baton Rouge, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR ULLO AND REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

To recognize and commend Wade Price, a civics educator at John Ehret High School in Marrero, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATOR MALONE AND REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To recognize and commend Lindsey Bruno, a civics educator at Airline High School in Bossier City, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 102—

BY SENATOR MCPHERSON AND REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To recognize and commend Joel Stevison, an educator at Alexandria Middle Magnet School, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 103—

BY SENATOR ELLINGTON AND REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To recognize and commend Mark Lester, a civics educator at West Feliciana High School in St. Francisville, upon being selected to participate as a Practitioner of Legislative Civic Education in the "Appreciating Legislatures" pilot program.

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR HOLLIS AND REPRESENTATIVE LANCASTER

A CONCURRENT RESOLUTION

To recognize and commend John L. Alexander, educator of social studies and civic education in Jefferson Parish Schools, upon the occasion of his retirement, for his contributions to citizenship education and to designate June 30, 2005, as "John L. Alexander Day" in Louisiana.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message from the House**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 172—

BY REPRESENTATIVES ROMERO AND FAUCHEUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 4911(A) and 4912(A)(1) and (B), relative to jurisdiction of justice of the peace courts; to increase the jurisdictional amount in dispute in civil matters; to increase the jurisdictional amount in dispute in possession or ownership of movable property; to increase the jurisdictional amount in dispute in eviction proceedings of occupants or tenants of leased commercial premises and leased farmlands; and to provide for related matters.

HOUSE BILL NO. 185—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 1:55(E)(1)(e), relative to legal holidays for clerks of court in Vermilion Parish; to require the clerk of court of the Fifteenth Judicial District Court and the clerk of court for the City Court of Abbeville in Vermilion Parish to close their offices in observance of the Cattle Festival; to provide for an exception; and to provide for related matters.

HOUSE BILL NO. 278—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 9:2795.4(A)(3), (4)(a), and (6), relative to the limitation of liability for motorized off-road activities; to revise the definitions of "motorized off-road vehicles", "motorized off-road vehicle activity", and "motorized off-road vehicle facility"; and to provide for related matters.

HOUSE BILL NO. 281—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 13:3714, relative to the admissibility of blood alcohol concentration (BAC) test reports; to provide for the admissibility of certified copies of BAC test reports of the state police crime laboratory in civil actions; to provide for cross-examination by the party against whom the report is sought to be used; and to provide for related matters.

HOUSE BILL NO. 282—

BY REPRESENTATIVES GEYMAN AND GLOVER

AN ACT

To enact R.S. 44:9(A)(3)(c), relative to the expungement of juvenile records; to provide for an exemption from payment of processing fees in certain juvenile cases; and to provide for related matters.

HOUSE BILL NO. 298—

BY REPRESENTATIVES TRICHE, BALDONE, AND PITRE

AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in Lafourche Parish; and to provide for related matters.

HOUSE BILL NO. 422—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 14:35.1 and to enact R.S. 14:38.3, relative to crimes committed against child welfare workers; to change the crime of simple battery of a child welfare worker to battery

of a child welfare worker; to provide for increased penalties for battery of a child welfare worker; to provide for definitions; to enact the crime of assault on a child welfare worker; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 453—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:301(B)(12), 308(B)(1) and (C), and 311(H)(1) and (3) and (K)(4) and to enact R.S. 27:3(24), 15(F) and (G), 308(B)(3), 308.1, 308.2, and 311(H)(5), relative to penalties for violations of the Video Draw Poker Devices Control Law; to provide for definitions; to provide for civil penalties; to provide for the adoption of rules; to provide for a penalty schedule; to provide for the authority of the gaming control board regarding suspension and revocation of video draw poker licenses and permits; to provide for a maximum penalty for violations of statutes and rules; to provide for a maximum period of suspension of a video draw poker license or permit; to provide for penalties for failure to submit the annual fee; to define repeated violations and violations; to provide for consent agreements or settlements between licensees or permittees and the state; to clarify which processing fees for new applications and licensing apply to certain licensed establishments; to establish a processing fee for stock or membership sales or transfers of fifty percent or more of a licensed corporation or limited liability company; to provide for legislative intent; and to provide for related matters.

HOUSE BILL NO. 465—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 4133, relative to the special mortgage furnished by a tutor; to provide for inclusion of the minor's date of birth; to provide for validity of mortgages filed without the minor's date of birth; and to provide for related matters.

HOUSE BILL NO. 485—

BY REPRESENTATIVES WALKER, DEWITT, DORSEY, JOHNS, AND LAFLEUR AND SENATORS HINES, CHEEK, AND KOSTELKA

AN ACT

To amend and reenact R.S. 44:4.1(B)(5) and to enact R.S. 13:3715.4 and 3715.5, relative to medical malpractice; to provide for legislative findings; to provide for the confidentiality of certain information; to provide for the admissibility of certain statements by health care providers; to provide for exceptions to the Public Records Act; and to provide for related matters.

HOUSE BILL NO. 511—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:574.15(A)(1) and (2)(introductory paragraph), relative to violations of municipal ordinances in a municipality having a population of more than four hundred fifty thousand inhabitants; to provide that judges exercising criminal jurisdiction in district, municipal, or traffic court have the authority to fix bail for persons arrested for certain municipal violations; to prohibit elected officials from granting parole for certain violations; and to provide for related matters.

HOUSE BILL NO. 525—

BY REPRESENTATIVES HEATON, MARTINY, AND LAFLEUR AND SENATOR BROOME

AN ACT

To amend and reenact R.S. 15:574.22(G)(2)(d), relative to eligibility for evaluation by the Louisiana Risk Review Panel; to provide with respect to the number of years a person convicted of a Schedule I narcotic violation must serve in actual custody to be eligible for review by the Louisiana Risk Review Panel; and to provide for related matters.

HOUSE BILL NO. 784—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Children's Code Article 811.1(G)(1) and R.S. 46:1844(W)(1)(a), relative to juvenile crime victims; to provide for an exception to the provisions requiring confidentiality of the identity of juvenile crimes victims; and to provide for related matters.

HOUSE BILL NO. 8—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Bogalusa; to increase the jurisdictional amount in dispute in the City Court of Bogalusa; and to provide for related matters.

HOUSE BILL NO. 16—

BY REPRESENTATIVE FARRAR AND SENATORS MCPHERSON AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:32.1(A)(4), relative to vehicular homicide; to delete the requirement that the operator of a vehicle flee the scene of the accident as an element of the crime of vehicular homicide; and to provide for related matters.

HOUSE BILL NO. 26—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 33:1236(55)(c), relative to the fees required to be charged by the clerk of court of East Feliciana Parish and remitted to the parish governing authority; to specify that the fees shall cover expenses of the office of the clerk; and to provide for related matters.

HOUSE BILL NO. 27—

BY REPRESENTATIVE GEYMAN AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 33:2201(B)(15) and (16), relative to financial security for surviving spouses and children of law enforcement officers; to include constables of justice of the peace courts and their deputies as law enforcement officers for purposes of benefit payments to survivors; to include investigators of the Elections Compliance Unit of the Louisiana Department of State as law enforcement officers for purposes of benefit payments to survivors; and to provide for related matters.

HOUSE BILL NO. 44—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 13:3886(B)(1), relative to fees charged by the sheriff for issuance of notice of seizure on specific immovable property or fixtures located thereon; to increase the fees for notice given by mail; to increase the fees for service of the notice; and to provide for related matters.

HOUSE BILL NO. 117—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact Sections 9(B)(14)(Vermilion Parish) and 10(D)(23) of Act No. 590 of the 2004 Regular Session of the Louisiana Legislature, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in Vermilion Parish for Fiscal Year 2004-2005; to provide for retroactive application of this Act; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 123—

BY REPRESENTATIVES DOWNS AND GALLOT

AN ACT

To enact R.S. 36:509(U) and Part XXXI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.281 through 3087.295, relative to the Lincoln Parish Reservoir Authority; to create the Lincoln Parish Reservoir Authority as a state agency; to provide for a board of commissioners to manage the reservoir authority; to provide for

the reimbursement of the amount originally paid for property returned to a prior landowner; to limit the authority of the district to expropriate property; to provide for the powers and duties of the authority including the authority to issue bonds; to prohibit certain actions; to provide for penalties; to provide relative to the authority's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

HOUSE BILL NO. 126—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:1448.1(A), (B)(introductory paragraph), (C)(1) and (2), (D), (E), and (G)(1) and (2), relative to the Bossier Parish Retired Employees Insurance Fund; to provide relative to eligible retired sheriffs and retired deputy sheriffs; to increase the total amount of principal and earnings in the Bossier Parish Retired Employees Insurance Fund; to provide for the limitations on withdrawal and appropriation of monies; to provide for limitations on equity and fixed income investments; to provide for the membership and election of the investment advisory board and the filling of vacancies thereon; and to provide for related matters.

HOUSE BILL NO. 243—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the conveyance of certain state property in Allen Parish and East Baton Rouge Parish to the Department of Transportation and Development; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 9, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVES HUNTER, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY
A CONCURRENT RESOLUTION

To commend the "Getting African Americans Hooked on Heart Healthy Eating" marketing campaign in recognition of life threatening health issues facing Louisiana's African American community.

HOUSE CONCURRENT RESOLUTION NO. 166—
BY REPRESENTATIVES GALLOT, MONTGOMERY, DOWNS, AND GLOVER AND SENATORS BARHAM AND KOSTELKA
A CONCURRENT RESOLUTION

To commend Willis Reed upon being hired as vice president of basketball operations with the New Orleans Hornets.

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATORS BOASSO AND SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Base Realignment and Closure Commission to reject the Defense Department's recommendation to close the Defense Information Systems Agency (DISA) site in Slidell.

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE HILL AND SENATORS HINES AND CAIN
A CONCURRENT RESOLUTION

To commend Beau Vidrine of Oakdale High School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Louisiana Department of Culture, Recreation and Tourism in coordination with the Louisiana Department of Wildlife and Fisheries to study the suitability of establishing a state park in the Maurepas Swamp Wildlife Management Area (WMA) and to report findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources prior to the beginning of the 2006 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE ALEXANDER
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the future income-earning capacity of individuals who pass the General Education Development (GED) examination in comparison to the future income-earning capacity of individuals who obtain a standard high school diploma, to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than two weeks prior to the beginning of the 2006 Regular Session, and if the study finds that individuals who obtain a GED have a lower income-earning capacity than those who obtain a standard high school diploma, to include in the report an explanation of reasons the GED is promoted as an equivalent to a standard high school diploma in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVES M. POWELL, ANSARDI, ALEXANDER, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, HAMMETT, HILL, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, T. POWELL, RICHMOND, ROBIDEAUX, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE, AND WRIGHT AND SENATOR MALONE
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop, adopt, and submit to the legislature for its approval and funding a minimum foundation program formula for the 2006-2007 school year that requires at least seventy percent of local school system general fund monies to be expended at the school building level for instructional services and further requires at least sixty-five percent of the general fund monies to be spent at the classroom level for the instruction of students by teachers and instructional staff members; to provide for a report by the state board to the House and Senate education committees prior to the 2006 Regular Session relative to certain local school system expenditures; and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 153—BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend B.H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

HOUSE CONCURRENT RESOLUTION NO. 156—BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To commend Colin McCarthy of Saint Paul's School upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

HOUSE CONCURRENT RESOLUTION NO. 160—BY REPRESENTATIVE WALKER AND SENATOR HINES
A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people and to proclaim June 8, 2005, Tunica-Biloxi Day.

HOUSE CONCURRENT RESOLUTION NO. 161—BY REPRESENTATIVE MARCHAND
A CONCURRENT RESOLUTION

To recognize Tuesday, June 7, 2005, as Homer Adolphe Plessy Day.

HOUSE CONCURRENT RESOLUTION NO. 165—BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To commend Lindsay Brignac of Fontainebleau High School upon her selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Fields 1 Day B. Gautreaux 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, June 13, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Monday, June 13, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk